The Nation

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EDITORIAL

# AN EARLY CZECH SPRING

Better late than never. Gustav Husak and his companions, who were brought to power by the Soviet tanks that crushed the Prague Spring in 1968, are now being thrown into the dustbin of history. Vaclav Havel and his fellow members of Charter 77, yesterday a brave but isolated band defying the authorities, are today the heroes of the huge crowds in Prague celebrating their own spring in a cold climate. Acting as a link between the two periods stands the man from Bratislava, the sad-faced Alexander Dubcek, whom the cheering people want to send "to the castle" to be President of the Republic.

After the East German miracle the world is no longer stunned by the pace of events. Once again it took only ten days. On November 17 special police squads were clubbing students. On the 27th, the rulers were ready to talk of coalition, a new constitution, even free elections. In the meantime, in Prague alone the protesting crowds had grown from 30,000 to more than half a million, and the movement had spread throughout the country, with workers joining students and intellectuals in a symbolic two-hour strike. In one respect the scenario differs from the German one. The Czechoslovak Communist Party finds it difficult to produce a reformer, which is not surprising: Some 500,000 party members were purged along with Dubcek after the 1968 invasion.

Dubcek claims that "the ideals and values which inspired a period when one wanted to build a socialism with a human face are now being revived by a new generation." He may be more accurate about the young than about the leadership of the Czechoslovak opposition, in which libertarian socialists now seem outnumbered by Thatcherite free traders. But the political battle is only beginning, and we hope that this spring does not come too late for those still seeking socialism throughout Eastern Europe.

REMEMBERING LEONARD BOUDIN

HOW N.E.D. AIDS THE RIGHT
David Corn

FORTRESS EUROPE 1992
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BORK IS BACK
Michael Pertschuk
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Sanford Levinson

TRUTH AND FICTION IN HAITI
Herbert Gold

SANCTUARY FOR L.A. HOMEBOYS

# THE PRIEST WHO LOVES GANGSTERS

EARL SHORRIS

After the meeting of the *comunidad de base* the priest said, "Let's take the long way home." It was early evening. There were children in the streets of the parish. The priest greeted them with a smile or a pat on the head. "Hola, mijo." In the black sky above us we saw a helicopter. The severe white light of its hunting eye appeared suddenly, laying bare the spaces between the adobe and stucco houses east of the dead, dry riverbed. Our voices were obliterated by the stuttering bark of the engine.

We continued through the parish. The helicopter moved away. We heard music, someone singing, perhaps a radio. As we passed a one-room store, a man came hurrying toward us. The man and the priest greeted each other. We all stood in the light that came through the screened entrance to the store. "There are police at the church," the man said.

"How many?"

"Two cars, Father, maybe more."

"Are they going on the property?"

"I think so."

"We'd better hurry," the priest said. "Somehow they seem to know when I'm not there."

By the time we got back to the Dolores Mission the police had gone, but in the yard behind the chain link fence the gang members were still agitated. "They were here, they came inside the fence," the gangsters said.

"The police said, 'Fuck TMC,' and we said, 'Fuck the po-lice.'"

"They said, 'All your homeboys from TMC

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# EXCHANGE.

## Whither the Rainbow?

### LEFT OUT OF HISTORY

*New York City*

I have enjoyed Andrew Kopkind's coverage of the 1988 presidential elections and Jesse Jackson, including his latest piece "Strategies for Now—And Next Time" [Sept. 25]. Kopkind continues to capture the historic role Jackson plays in U.S. politics.

As Kopkind notes, Jackson more than any other national political figure continues to offer the sharpest criticism of the Bush Administration, and he continues to identify and advance the causes of the dispossessed and other victims of the Reagan era, in particular the labor unions, whose strikes Jackson has so actively embraced these past months. In the process, Jackson continues to build a progressive pole in U.S. politics and within the Democratic Party and to lay the basis for further victories for empowerment, whether in places like New York City or in terms of his own electoral options.

As Jackson keeps hope alive, he continues to validate an essential current in American political history—the African-American struggle for democracy, self-determination and political power. This movement is a tremendous force that affects all of society and even makes possible the democratic demands of other oppressed sectors. Kopkind's statement that Jackson has created "a genuine populist force that can play serious politics in the national arena" is an important recognition of Jackson's actual impact.

In fact, the "continuing tension and divergence between blacks who make up Jackson's mass base and the issue activists" which Kopkind discusses is, in my opinion, due principally to the failure of the predominantly white activist sector and the left to understand the nature and role of the African-American movement. I and other members of the League of Revolutionary Struggle have differed with much of the left on Jackson and the Rainbow. In particular, many in the left have failed to appreciate that the African-American movement is a historic movement with real goals, agendas and demands, not least of which is the election of Jesse Jackson as President. While supporting Jackson, many leftists don't believe he can actually win and seem to feel that the significance of Jackson and the empowerment movement lies more in their ability to help build an abstract "movement" defined by the left. This may account for the fact that some Rainbow activists couldn't wait for the 1988 campaign to be over so that they could get back to building the Rainbow.

Similarly, building the Rainbow also requires an understanding that the core strength of Jackson and the Rainbow is a united African-American people, and that this is the foundation upon which Jackson and the Rainbow Coalition will be built and expanded. Those of us in the league who work in the Rainbow have disagreed with those who want the Rainbow to be an activist organization; in our view, the Rainbow must be a true coalition capable of uniting diverse class and social forces. This includes not only the working class, the masses and the left but also such sectors of the African-American community as the moderates, the business sector and the church. Politically and structurally, the Rainbow must be an organization in which all of Jackson's supporters are included and feel comfortable. To the extent that the left fails to see its own responsibility to seek and build the broadest united front, especially with the African-American movement, it will remain isolated and ineffectual.

The same white leftists have historically been unable to understand the league, which is the only left group in the United States that arose out of the Third World movements and the only left group that is overwhelmingly nonwhite. (Their disrespect extends to the point of not being able to get our name straight or assuming that every person of color in the National Rainbow Coalition who disagrees with them is in the league, especially if they are Chicano or Asian.) The left has historically made sectarian mistakes by seeking political influence through structural control of coalitions rather than through the example of its work and building real mass support for its politics. This tendency almost inevitably leads to frantic maneuvering and the scapegoating of others to explain its own lack of influence. In this context, it should be noted that the passing reference to the league made by an unnamed white activist in Kopkind's article is a misstatement of fact, in regard to both our position and our practice.

The Rainbow Coalition continues to be built through the swirl of activity generated by Jackson since the 1988 election, from the savings and loan campaign to the string of union causes he has championed. Work is also being done at the local level, not only to give support to the Rainbow's national agenda but also in advancing local politics and issues. Rainbows in Nebraska, California, Montana and other states have captured positions in the Democratic Party; in Chicago, the Rainbow is involved in public education issues; and in New York, David Dinkins's historic mayoral effort was based on and has further built the Rainbow Coalition of 1988, although unfortunately the Rainbow's radical activist members here remained for the most part on the periphery of the Dinkins campaign. If there is "tension and divergence" between Jackson's black base and the white issue activists, it is clear who is really missing history's boat.

Andrew Kopkind has given a good account of the political and practical strategies Jackson is grappling with in building and consolidating the Rainbow Coalition. This is no small task given the Rainbow's diverse character, immense constituencies and historic mandate. There should be little doubt that, despite their shortcomings, Jesse Jackson and the Rainbow Coalition are a real and potent force at the cutting edge of progressive politics. *Mae M. Ngai*

### WHEN THE RAINBOW'S NOT ENOUGH

*Mattapan, Mass.*

The tone of Andrew Kopkind's article left me feeling like a 6-year-old who is being served squash by a parent. The parent says, "You must eat this no matter how distasteful it may be. It's good for you." I don't like feeling like a 6-year-old, particularly since I'm 35.

The matter of Jackson and the Rainbow cannot be so easily simplified as a matter of take it or leave it, he's the best that's out there. As someone active in the Massachusetts labor component of both the 1984 and 1988 Jackson presidential campaigns, I believe that Kopkind has done a disservice by stating the obvious and failing to tackle responsibly and analytically some of the problems of the post-1988 campaign period. In the bulk of the revolutionary and nonrevolutionary lefts there is no issue as to Jackson's greatness or importance. Nor is there much of an issue that he is the national spokesperson for a progressive, populist message which has significant roots in several social movements.

The issue that needs debate and analysis is, How can the left build and support Jackson's efforts while at the same time pursuing independent issues that may not be encapsulated within Jackson's program? In one sweep, Kopkind seemed to dismiss the left, the work it has done to support Jackson and its right to have its own agenda, which at times may not coincide with Jackson's.

Consider for a moment the Jackson "political counselor" whom Kopkind quotes uncritically saying, "As you know, the left did not support Jackson until very late in the game in 1988, and there was no strong left that was a major building block of the campaign." I don't know what left this counselor is discussing, but in 1988—as opposed to 1984—Jackson attracted a far greater cross-section of both the revolutionary and nonrevolutionary lefts. Many of the core activists and leaders of the campaign were of the left. It's curious then that this fact would be ignored. The second point, that the left

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# EDITORIALS.

## A New History

The spectacle of what a Soviet Foreign Ministry official appearing on U.S. television called "the death throes of bureaucratic administrative socialism" has for a time obscured the less dramatic but far wider crisis of the world order in which East and West—and North and South—participate. The convulsions of Eastern Europe cannot be contained in one region, no more than they can be understood as pertinent to one political or economic system. A transformative moment has exploded on the world historical stage, and after it has passed the players still standing will have vastly different roles.

Successive American administrations have based their policies on the rigidity of the cold war blocs. Since World War II the U.S. imperial mission has been rationalized by the Communist threat, and to a large extent American pros-

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perity has been the result. In each decade except the 1970s the economy has been driven by military expenditures promoted as necessary counters to Communist thrusts in Western and Southern Europe, China, Korea, Cuba, Vietnam, the Middle East, Central America and outer space. Vast chunks of the world have been secured as markets, labor pools and resource depots for American corporations and consumers. No covert op, secret war, dispatch of troops, political assassination or sleazy deal with a corrupt government has been too disgusting to abjure for the anti-Communist crusade.

President Bush must soon see that this comfortable and profitable arrangement has lost both its ideological and its political base. The right wing is shrieking that there is still time to take advantage of *perestroika* and press for unconditional surrender of the Soviet bloc in Europe and revolutionary movements in the Third World. But the rest of the globe is in the mood to make a separate peace, and the United States has no way of stopping it. America is losing its veto. NATO—the instrument with which this country projected its power in Europe—will wither away. The end of bipolarity in the affairs of nations does not mean that one superpower will assume total control. Far from it. The liberation of Eastern Europe, incomplete as it is, entails the loosening of bonds everywhere, as satellites break out of orbit and new constellations of power are formed. Those who gloat that a new American century is dawning will see that history has another kind of day in mind.

In these heady times, Bush seems seized with mixed emotions. He rants with the right about Nicaragua and Cuba, but he knows he must do business with the unglued states of Eastern Europe if America is not to be completely isolated, politically and economically. Nor can he decide for the Europeans what kind of societies they will have. It is absurd for him to hope that some version of Thatcherism or Reaganism will soon reign from the Pyrenees to the Urals. What does evolve will be different from anything dreamt of in Bush's philosophy.

# All Our Children

On November 20 the U.N. General Assembly adopted the International Convention on the Rights of the Child. Passage took two minutes, but it represented the culmination of ten years of negotiations. The convention enumerates basic human rights for children, including the right to a name, to survival and to an education. It forbids the exploitation of children and forcible separation of them from their parents. James Grant, executive director of Unicef, hailed the document as a Magna Carta for children that "creates a new international norm."

Marring this step forward in human rights were the retrogressive actions of the U.S. delegation. During the drafting of the convention last fall, the United States stubbornly held out against a provision that would have established a minimum age of 18 for military combat. The Bush Administration argued that the Geneva Convention already sets the minimum age at 15. Moreover, although U.S. law prohibits the armed forces from accepting enlistees who are under 18, an exception is made for 17-year-olds who have parental consent. To go along with the higher age would have meant losing those 17-year-old volunteers, something the Department of Defense is unwilling to do. It would have compromised at 17, but most nations thought 18 quite young enough to die for one's country. Thanks to U.S. obduracy about national sovereignty, the chance was lost.

According to the Quaker United Nations Office, the State Department bucked the combat-age question to the Pentagon for a final decision on national security grounds. We suspect the military planners also reasoned that the higher combat age would inhibit support for U.S. allies in regional conflicts, such as the Salvadoran regime and the Afghan rebels, which depend on children as cannon fodder.

Strategic matters aside, the U.S. stand was part of a consistent pattern of resistance to U.N. efforts to promote international human rights and economic justice. Since 1965, Congress has refused to ratify several important international conventions, including Economic, Social and Cultural Rights, Civil and Political Rights, and Elimination of All Forms of Racial Discrimination. The opposition to setting universal standards in these areas is of a piece with the Reagan and Bush Administrations' selective human rights policies.

There is little hope that the Administration will break with the past and advocate that Congress endorse the Convention on the Rights of the Child. Indeed, to bring domestic morality in line with international policy, the Administration should push for lowering the minimum age for military service in this country to 15. Who knows? The new recruits might even fight beside their peers in El Salvador.

# Leonard Boudin

By any rational measure, he was among the greatest civil liberties lawyers of his time. Again and again, over more than half a century, he went up against the government to defend the rights of the individual. He argued more civil liberties cases before the Supreme Court than any other constitutional attorney. Whole areas of constitutional law bear his mark. With quiet courage, he brought honor to a profession that too often scorned him when he acted in its highest traditions. And for a generation of public-minded young lawyers, he provided a model of what a life in the law could be. May that life, now come to an end at the age of 77, inspire many more.

The qualities that came together in Leonard Boudin were at once unique and exemplary. A man of the left in his attachments and affinities, he was the consummate legal professional. He loved the law; it was his passion. He reveled in its intellectual and strategic complexities. And he possessed in generous degree the analytic stamina and rhetorical brilliance the legal profession prizes. He also had a quality far rarer

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among lawyers: a gift for grasping the human essence of a constitutional issue. He perceived clearly the injuries—to individual citizens and to the constitutional order—inflicted by government. He dealt happily in abstractions but remained grounded in the underlying human realities.

Obituaries have made much of the extraordinary array of clients he represented: Paul Robeson and Rockwell Kent, Benjamin Spock and Daniel Ellsberg, Julian Bond and Jimmy Hoffa, the governments of Chile under Allende and of Cuba; the list goes on and on. They do not mention his countless other clients whose names are not widely known and whose cases did not yield important legal principles—citizens hounded by the government because of their beliefs and associations, whose situations were eased by his legal skills and whose lives were touched by his human qualities.

One of the many hardships that befell victims of McCarthyism was the absence of competent legal representation. When most of the bar—including organizations established to defend civil liberties—declined to represent those alleged to be subversive, Boudin and his partner Victor Rabinowitz took the cases, discharged their responsibilities as lawyers and generated much important law. For a time, their small Greenwich Village law office was the most important civil liberties institution in the nation. And when other civil liberties organizations wavered in their support of dissenters, he founded the National Emergency Civil Liberties Committee, serving as its general counsel until his death. During those critical years, the 1950s, Boudin was to the practice of law what his friend and brother-in-law (they married sisters) I.F. Stone was to the practice of journalism: a lone individual who kept his bearings and acted as a guardian of important public values at a time of general institutional default.

Throughout his career he fought repression in a constellation of cases involving two basic themes: freedom of association (a person losing a job, or being denied a government benefit, or subjected to public humiliation by a Congressional committee because of membership in a suspect organization) and the free exchange of ideas across international borders (the exclusion of foreigners from the United States on ideological grounds, the deportation on such grounds of aliens living here, and restrictions on U.S. citizens' travel abroad). He fought efforts to keep foreign speakers out; he fought efforts to keep U.S. citizens in. Perhaps his greatest achievement was the passport cases, culminating in 1958 in *Kent v. Dulles*, which established that passports could not be withheld on political grounds.

There were other important victories, but there were also many losses. And an important part of the inheritance he bequeaths resides in those losses. For when the fundamental issues of political freedom he addressed, some of them still unresolved, arise again, defenders of civil liberties will reach for arguments first crafted, often in a losing cause, by Leonard Boudin.

Freedom of association was a personal as well as a constitutional theme for Leonard. The company he kept was rich and varied. A skeptic and a nonjoiner, he sailed smoothly through the choppy seas of left sectarianism, representing anyone who came to him with a legitimate constitutional grievance. But his life was governed more by the dictates of friendship than ideology. His friends sometimes became clients, and he rarely had a client who did not become a friend. Even his adversaries found it hard to resist his decency and charm. Senator Joseph McCarthy was openly fond of him—to the discomfort of some of Leonard's clients. And several days before his death he showed a friend a photo album which included, along with family pictures and snapshots of doctors and nurses befriended during a stay in the hospital, photos of Frances Knight, who as head of the passport office of the State Department had been his principal antagonist in the passport cases. We at *The Nation* are grateful to have been among the friends of Leonard Boudin. We will miss his warmth and wise counsel.

# Helen Buttenwieser

There is no telling to what public office Helen Lehman Buttenwieser, who died on November 22 at the age of 84, might have risen had she not devoted herself to the defense of Alger Hiss at the apex of cold war paranoia.

It was not that this distinguished member of the New York bar suffered any overt reverses in her legal career—her elevated status was reaffirmed only last year when she was honored at the New York City Bar Association's annual dinner. But by steadfastly continuing the fight to vindicate the former State Department official long after he had served his five-year sentence for perjury, she let it be known that she cared more for justice than her career.

One of New York City's first woman lawyers, she was the niece of New York Governor, later Senator, Herbert Lehman, and also of Chief Judge of the State Court of Appeals Irving Lehman. Her parents founded banking, securities and retailing empires, and her husband was a partner in the investment banking firm of Kuhn, Loeb & Company.

She was the first woman attorney hired by the ultra-establishment law firm of Cravath, Swain & Moore, and her energy, mind, temperament, lineage and connections perfectly positioned her to lead the life of the quintessential Wall Street lawyer of her era, commuting between high public office and high-paying private practice.

But Helen Buttenwieser, a longtime friend and financial supporter of *The Nation* and committed civil libertarian—she was a trustee of the New York Civil Liberties Union, chairwoman (she preferred "chairman") of the Legal Aid Society, board member of the Legal Defense Fund and countless other philanthropic organizations—had less clubby and conventional things in mind.

The passing of Buttenwieser and Leonard Boudin in the same week should remind us that in very different ways and with widely varying styles they each exemplified a tradition of fighting injustice that is all too rare in the current generation of private practitioners.

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# MINORITY REPORT.

CHRISTOPHER HITCHENS

*San José, Costa Rica*

Sitting in the office of Eduardo Ulibarri, editor of the leading right-wing journal *The Nation*, I ask the usual foreign visitor's question about what makes Costa Rica so "different." Why, in an isthmus dominated by empire, reaction and revolution, do we find this contented little bourgeois Eldorado, celebrated for its Nobel Peace Prize, its pluralism and its social tranquillity? I get the usual complacent reply. Costa Rica did not have to fight for its independence from Spain. There was little slavery in the country and no *latifundia* landholdings. The United States Marines never troubled to occupy Costa Rica. So, by judicious balancing and trading, the country has been able to maintain neutrality without a standing army for most of the postwar period.

Thus runs the anthem of self-congratulation. However, there was until recently one salient factor that negated all or most of the above. John Hull, a U.S. citizen with Costa Rican nationality, operated a notorious *latifundium* on the border of Costa Rica and Nicaragua. From this vast ranch he ran a private army and airstrip on behalf of the U.S. national security network. He worked tirelessly, in concert with elements in the Costa Rican establishment, to bring the country into war with Nicaragua and to justify a U.S. invasion. In "Minority Report" of May 8, I set out what was known about John Hull: his regular stipend from Oliver North, his meetings with the *contra* network in the office of then-Senator Dan Quayle and his eventual arraignment on charges of drug and gun smuggling by a Costa Rican court. Mr. Hull has since been granted bail on grounds of age and health, and has used the opportunity to fly to his native Indiana. It is considered unlikely that Mr. Hull will return for trial, even after having proudly maintained that he is a Costa Rican patriot.

Still, Costa Rican democracy and independence are not so utterly compromised that nothing can be done. There are brave politicians and journalists here who have been pressing for a dignified inquiry in the face of some quite forbidding discouragements. This past July the Drug Commission of the Legislative Assembly presented a detailed report which has since been endorsed by a vote in the full legislature and which recommends that five citizens of the United States be barred permanently from setting foot in Cost Rica because their activities had led to the breaking of national laws and to the establishing of narcotics-running networks. The five are former Lieut. Col. Oliver North, Maj. Gen. Richard Secord, Adm. John Poindexter; former U.S. Ambassador Lewis Tambs; and former San José C.I.A. station chief Joseph Fernandez. This decision got barely a notice from the U.S. press, although it might be thought a matter of public interest that five such well-known gentlemen are *persona non grata* on the soil of a friendly neighboring state—and for involvement on the wrong side of the Drug War at that. Instead, we have an Attorney General who intervenes to protect Mr. Fernandez and to argue that everything he did was classified.

The U.S. Congress could learn a lot from its Costa Rican counterpart about the conduct of honest investigations of wrongdoing in high places. But it had better be quick. The Bush Administration, which fought so valiantly against democratic invigilation both in Washington and in San José, is now intruding again in the affairs of Costa Rica to make sure that such impudent displays of independence do not recur. The National Endowment for Democracy has been busily pumping a flow of cash in the direction of the United Social Christian Party in preparation for next year's elections. [See David Corn's article on page 744.] This party and its affiliates were and are generally opposed to the tentative neutrality of President Oscar Arias and to the policies that led to his Central American peace plan. Modest though that plan certainly was, it did deprive the national security gangsters in Washington of some of their room for maneuver, and the support for Arias's political enemies looks very much like revenge for that insult.

John Biehl, a former adviser to Arias, once described as "a parallel state" the network of alliances and institutions created to serve U.S. interests without the inconvenience of democratic scrutiny. Its sharpest symbol is the enormous fortified compound, surmounted by a rooftop helicopter pad, which houses the Agency for International Development operation in Costa Rica. A.I.D. subventions have been made conditional upon a hectic process of what is euphemistically termed "privatization," with the beneficiaries tending to be tried and tested political allies rather than tried and tested going concerns. Given that Costa Rica received more than a billion dollars in aid between 1983 and 1987, more than in the three preceding decades combined, it can be understood that it was difficult for a relatively underdeveloped political establishment to resist "quid pro quo" pressures aimed at its neutrality. A small example of the suggestive influence of foreign aid is provided by the $375,000 "business loan" advanced by the Overseas Private Development Corporation, a U.S. lending agency, in 1984. The loan went to a Costa Rican farmer named John Hull.

A tap that can be turned on can also be turned off. As Frances McNeil, former U.S. envoy to San José, told the House Foreign Affairs Subcommittee in 1987, when A.I.D. started suddenly to be less generous: "It is impossible to avoid the suspicion that Costa Rica's 'less favored nation' treatment is a form of revenge for having the temerity to disagree with us about the *contras*."

Costa Rica's most famous boast—its nonmilitary character—has also been compromised by this covert dependency. Between 1981 and 1985 the "security forces" grew by more than 250 percent, fueled by a large U.S. military aid program and augmented by politically "reliable" civilian elements such as the ultraright paramilitary movement named Free Costa Rica. (Martha Honey's forthcoming book *Undermining a Friend* has much new and connected detail.) The Costa Rican idyll, in other words, is under sustained attack from those who used to make the most noise about defending it.

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# Heaven Can Wait

EDWARD SOREL

JEEZUS! ACCORDING TO THIS, 82% OF AMERICANS BELIEVE THERE IS A HEAVEN!
INCREDIBLE! I WONDER WHAT SORT OF PICTURE THEY HAVE OF HEAVEN... WHAT KIND OF LIFE DO THEY THINK THEY'LL HAVE THERE?
DO THEY THINK SCREWING WILL BE ALLOWED IN HEAVEN? I'D HARDLY CALL IT HEAVEN IF IT WASN'T.
AND WHAT ABOUT WIVES? SOME OF THOSE 82% MUST BE DIVORCED... WHICH WIFE DO YOU GET IN HEAVEN? THE FIRST OR THE LAST?
AND WHAT ABOUT FOOD? DO YOU EAT THERE? DOES HEAVEN HAVE TOILET FACILITIES? CAN YOU GET ALKA-SELTZER?
I GUESS WE ALL BELIEVE WHAT WE WANT TO BELIEVE AND 82% DON'T WANT TO BELIEVE THAT DEAD IS DEAD.
EVERYTHING COMES TO AN END SOONER OR LATER... EVERYTHING.
EXCEPT A STRIP WITHOUT A PUNCHLINE.
E.S.

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# ARTICLES.

THE REPUBLICANS' N.E.D. CONDUIT

# Foreign Aid For the Right

DAVID CORN

Americans are well aware that their taxes pay for such necessities as B-2 bombers, sweetheart deals at the Department of Housing and Urban Development and Senator Jesse Helms's reproduction—for propaganda purposes—of Robert Mapplethorpe's photographs. But few probably realize that their taxes fund a vigorous Republican Party effort to strengthen and enlarge an international conservative network.

The G.O.P. campaign is conducted under the auspices of the National Endowment for Democracy, a small private foundation chartered and funded by Congress and assigned the noble-sounding mission of promoting democracy abroad. Each year, the N.E.D. doles out public money—$15.8 million in fiscal 1989—to private, U.S.-based groups which, in turn, are supposed to use the money in a nonpartisan fashion. (The N.E.D. recently made headlines as the conduit for $9 million that the Bush Administration and Congress are spending in Nicaragua to assist the electoral process and bolster the United Nicaraguan Opposition.) Most of the money the N.E.D. distributes goes to institutes affiliated with four entities: the A.F.L.-C.I.O., the U.S. Chamber of Commerce, the Democratic Party and the Republican Party. All four then run their own miniature State Departments, pursuing their own international agendas and funding their political allies in other lands. Usually they are able to do so without much scrutiny from Congress and the public. The *modus operandi* of one, the National Republican Institute for International Affairs, presents a particularly good case for why the N.E.D. should be put out of business.

As a key player in the world of the N.E.D., the Republican institute, which received $1.7 million in 1989, has used taxpayers' money to help conservatives in Latin America and the Caribbean network with one another; advance their views on privatization, rent control, the Red Menace and other subjects; and fortify their own political parties. A review of institute documents obtained under the Freedom of Information Act shows that the Republicans fund a number of groups that technically may be nonpartisan but in practice are closely allied with conservative political parties.

The Republican institute's bold and quite questionable argument is that sustaining conservatives abroad, in and of itself, boosts democracy in general. In an interview published in the May issue of *Campaign & Elections*, Keith Schuette, head of the Republican institute, cogently explained one of the chief functions of his organization: "The Communists have their international support network. . . . The Socialists have theirs, and the Christian Democrats . . . have theirs. The conservatives do not, and we think it is only natural for us to fill that void."

More than 90 percent of the N.E.D. program funds handled by the Republican institute go to Latin America and the Caribbean. A major project of the institute is the Central American Political Academy, which comprises four think tanks in the region. Each one is affiliated with a rightist political party. The goal of this federation, according to one institute document, is "the solidification of political ties across national boundaries" and the cementing of bonds between "like-minded political organizations." It is telling that the phrase "like-minded" appears often in institute records describing its programs.

The Honduran component of the academy, the Center for Economic, Political and Social Studies, might not engage in direct politicking, but it drew up the policy platform for the rightist National Party, which, formerly in opposition, carried the recent elections. In February the center also produced and sponsored a self-serving national radio program on the history of Honduras and the National Party.

In Guatemala, the academy is represented by the Political Academy for Liberty and Justice, known by the Spanish acronym ACAP. One of the founders of the group is Jorge Serrano, the head of the Solidarity Action Movement. Serrano's party is business oriented and right wing, though on Guatemala's ideological spectrum it is not at the farthest extreme. Last year ACAP held a major seminar on economic reforms favored by Serrano, now a candidate for the presidency. Another Republican-funded institute in Guatemala, the Center for Socio-Economic Studies, recently published a report that criticized the extension of a rent control law. How might such a study enhance democracy? A G.O.P. document claims that publications like this "enable Guatemalan policymakers and citizens to examine and evaluate the problems associated with this emerging democracy."

In Costa Rica another member of the Central American Political Academy, the Association for the Defense of Freedom and Democracy, has sparked a political imbroglio that best illustrates the problems inherent in both the Republicans' and the N.E.D.'s global crusade. Not only are the particulars of the Republican venture in Costa Rica troublesome, there is the question of why the institute is messing around there at all. Why should N.E.D. funds be spent in a nation that has seen one hundred years of democracy—a better record than that of Japan or Germany?

There's an obvious reason. The association receiving the N.E.D. money is extremely cozy with the conservative Social Christian Unity Party, a minority party which advocates foreign policy and economic positions more to the liking of the G.O.P. than those of Oscar Arias's National Liberation Party. The association has been run by Social Christian officials since it was set up in 1984. Last year Luis Manuel Chacon, the party's leader in the National Assembly, served as the president of the think tank's board. Rafael Angel Calderón Fournier, the party's presidential

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candidate in 1986, was its executive director, a post he no longer holds now that he is again running for president. Several key figures in the association have been members of Calderón's campaign issues groups.

The association has held seminars and developed policy proposals on numerous issues, including privatization, Social Christian primary elections, the Arias peace plan (which the party has assailed) and abortion. It has organized the Christian Federation of Costa Rican Workers, which opposes left-leaning and activist unions. It has also collected mailing lists, compiled a computer data base of "pertinent information from newspapers" and "personal information on [association] members and other persons," and conducted public opinion polls—activities that can be of great use to political candidates and parties.

The National Liberation Party, which faces a tough election against the Social Christians next year, has complained that the United States, via the Republican institute, is subsidizing its political opposition and interfering in Costa Rican democracy. In a recent letter to the U.S. Congress, seven National Liberation Party legislators charged that the association is a "front organization" for the Social Christians and Calderón. Pointing to activities such as the compiling of mailing lists and the conducting of surveys, they maintained that Calderón and the Social Christian Party have used $450,000 in N.E.D. funds for electoral purposes.

Congressional Democrats, including Representative Stephen Solarz, who sits on the senior advisory committee of the National Democratic Institute for International Affairs, also have objected to the Republican program in Costa Rica, as have some liberal members of the N.E.D. board. "We have no business promoting a particular party in Costa Rica," Solarz says. Republican support for the association has been a "particularly sensitive point" in discussions at N.E.D. board meetings, according to an N.E.D. source who asked not to be named.

In June, Schuette notified the N.E.D. that as of July 1, the Association for the Defense of Freedom and Democracy would "no longer have any domestic focus." He added that this step should not be taken as an admission that "we are doing anything improper." But that didn't end the controversy. Following a low-key Congressional hearing on the N.E.D. on September 28, Schuette got into a heated argument with Justin Castillo, the nephew of National Liberation Party presidential candidate Carlos Manuel Castillo. The younger Castillo asked about the association's magazine *Forge of Social Christian Thought* (*Fragua*), which is written mostly by members of the Social Christian Party. He was especially curious about an article written by Calderón which criticized the Arias peace plan and questioned the manhood of the Nobel laureate. "That's fully consistent with N.E.D.?" Castillo inquired. "Yes, that's true," Schuette replied, insisting that the only thing problematic about the G.O.P. effort in Costa Rica was the fuss it had stirred. So why back away from a legitimate program? "If you get members of Congress to go after me," he explained, "Well, I'm no fool."

Schuette refused to be interviewed for this article, an interesting position for one dedicated to promoting open debate in other countries.

Schuette may be right in his claim that the Republicans are adhering to the letter of the law. Funding think tanks associated with political parties falls short of violating N.E.D. guidelines that prohibit the direct financing of political campaigns. But when there is so much overlap between an institute and a party, the distinction between nonpartisan and partisan activity becomes meaningless.

In Costa Rica the association continues to receive nearly $7,000 a month from the G.O.P. institute, but only for endeavors of an international nature. This, too, fits into the designs of the Republicans, since much of the activity the institute funds is geared toward aiding a six-year-old network of conservatives, the International Democrat Union. The I.D.U., a confederation of conservative political parties from twenty countries, first convened in London in 1983, with Vice President George Bush, British Prime Minister Margaret Thatcher and West German Chancellor Helmut Kohl in attendance. Last September the group held a con-

ILLUSTRATIONS BY FRANCES JETTER

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vention in Tokyo, which Vice President Dan Quayle attended, partly to rally support for the opposition in Nicaragua.

All four think tanks in the Central American Political Academy are affiliated with the I.D.U., and the Republican institute underwrites travel expenses for Latin American and Caribbean conservatives participating in I.D.U. functions. In April the G.O.P. institute financed a gathering in Managua of Young Republicans, College Republicans and youth groups connected to the International Democrat Union. An I.D.U. regional affiliate, the Caribbean Democrat Union, depends on the Republican institute for most of its support. Since 1986 this collection of right-wing parties has received more than $800,000 in N.E.D. funds. Based in Kingston, Jamaica, and headed by former Jamaican Prime Minister Edward Seaga, the C.D.U., according to a Republican document, "has the ambitious goal of developing and maintaining greater center-right party unity . . . and to aid in the development of democratic institutions." To accomplish that the organization apparently needs to send its officers to I.D.U. meetings in London, Vienna and Tokyo.

The group also conducts seminars, including one held in June on "Communist infiltration." The briefing, delivered by Parnell Campbell, the Minister of Justice of St. Vincent and the Grenadines, was closed to the public, says Joan Webley, the group's executive director. "For the C.D.U. to get together to discuss Communist infiltration is absolutely ridiculous, absurd," asserts Tony Maingot, a professor at Florida International University who has worked for the Democrats and written for the conservative Hoover Institution. "That's not the real issue in the region today," he argues. The C.D.U. and its Republican patrons obviously disagree. C.D.U. delegates questioned Campbell for several hours after his behind-closed-doors session.

According to one N.E.D. board member, there is "a lot of concern on the Hill regarding the party institutes." They are, the official notes, "the most unpopular part of the program." But Solarz, who is quick to attack the G.O.P. program in Costa Rica, becomes diplomatic when asked to comment on the Republicans' overall strategy: "A lot of program funding by N.E.D. and its constituent bodies is not harmful but unnecessary." There's a good reason that Solarz, whose Democratic institute has been active in Chile and the Philippines, is not eager to get into a public pissing match with the Republicans. That could jeopardize the N.E.D. as a whole and its grantees.

But the N.E.D. should be jeopardized. The foundation, which engages openly in the type of work once reserved for the C.I.A.—promoting political parties, funding propaganda, influencing campaigns, courting trade unions—prompts a number of questions on the propriety of U.S. intervention, whether public or furtive, in the political affairs of other countries. That larger issue aside, the interests of the Republicans (or the Democrats, or the A.F.L.-C.I.O., or the Chamber of Commerce) do not always match the public interest. "N.E.D. seriously blurs the distinction between the role of the Federal government and the role of private or nongovernmental organizations in promoting our nation's interests overseas," says Representative Paul Kanjorski, one of the few vocal critics of the N.E.D. on Capitol Hill. Kanjorski has called for a full-scale General Accounting Office investigation of the N.E.D.'s management and effectiveness.

If the United States wants to assist political activities abroad—and there may well be a case for supporting human rights monitoring, electoral observation teams and broad opposition movements to racist or repressive regimes—let that be debated by Congress, which is more accountable to voters than the N.E.D. core institutes. A couple of sentences attached to a foreign aid bill could provide funds to a human rights documentation center in the recipient nation. If there are lawmakers who believe taxpayer dollars should buy a printing press for Solidarity or computers for the African National Congress, send Jimmy Carter to monitor an election or subsidize travel for right-wing conventioneers, let them argue it out on Capitol Hill. U.S. foreign policy should not be placed in the hands of the private officials of the N.E.D. and its surrogates. □

# Ham to Poland

The National Republican Institute for International Affairs has a novel response to political upheaval in Poland. It wants to be sure that Poles have access to neoconservative author Joshua Muravchik's critique of President Jimmy Carter's human rights policy. In its 1989 second-quarter report to the N.E.D., the institute notes its support of the Krakow-based Society for Political Knowledge, which it says is "devoted to the promulgation of open debate in Poland of issues of foreign affairs and market economies." In the coming year, the institute reports, the society will translate and publish five books written by well-known U.S. conservatives and neoconservatives to "leaven" political discussion in Poland. First out of the chute, according to the plan, is Muravchik's *The Uncertain Crusade: Jimmy Carter and the Dilemmas of Human Rights Policy*. One wonders how Muravchik's analysis, which includes the suggestion that Carter's human rights policy led to the rise of the Ayatollah Ruhollah Khomeini in Iran, will contribute to the promotion of democracy in Poland. Statements such as this one—"Because America is the world's most important democracy and the protector of all other democracies, a setback for American interests is, all other things being equal, *ipso facto*, a setback for the cause of human rights"—reveal much about Muravchik's ideological bent and may be of passing interest to Poles curious about aspects of the American *Zeitgeist*. But do the Polish people really need, at U.S. taxpayer expense, Muravchik's musings at this critical juncture in their struggle for democracy? Maybe, just maybe, the Society for Political Knowledge was influenced by the fact that Muravchik serves on its board of directors. D.C.

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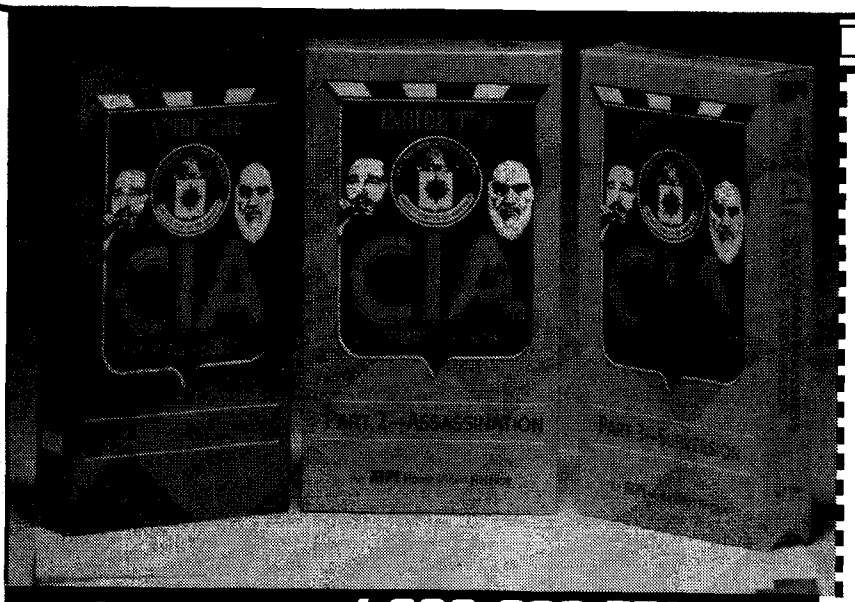

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INVISIBLE CHECKPOINTS

# Fortress Europe For 1992

ANDREW ROSENBAUM

As any American resident in Europe can confirm, the concept of civil liberties here often becomes strangely distorted. Until recently, a train trip from Paris to Brussels was sufficient proof. People with long hair, dark skin or wearing jeans had their bags and papers checked if they were lucky—or a summary strip search in the train bathroom if they weren't. The loutish Belgian customs officers who came roaring into the train at St. Quentin didn't waste their time being courteous.

Three years from now, however, the twelve-nation European Community plans to abolish all such cross-border checks, allowing its citizens total freedom of movement from one nation to the next. The community is working to achieve economic unity in 1992, thus fulfilling the original intentions of the Treaty of Rome, which was signed in 1957. The object of this effort is to allow Europe's 320 million consumers to benefit from economic integration among the member states by allowing the free flow of goods, services, capital and labor.

Thousands of articles in the business press, in both Europe and the United States, have promoted the economic advantages of the "Single Internal Market." But they have largely ignored the negative repercussions of 1992 for European civil liberties.

"There may be benefits won in creating the Single Internal Market," says Paul Hunt, former secretary general of the British National Council for Civil Liberties (N.C.C.L.), "but the movement created by the 1992 legislation is such that civil liberties could get lost in the shuffle."

Indeed, many members of the European security establishment seem to be terrified by the loss of border controls. As a result, they are proposing security measures that frighten human rights experts. If security-obsessed leaders have their way, those 320 million consumers will all be obliged to use computerized ID cards by 1992. And, as internal border controls go down, external barriers to the community as a whole could be raised, barring Third World refugees who have traditionally found a home in Europe.

Europeans are acting as if removal of border controls risks anarchy. "The European 'mobility area' must also be a 'security area,'" says one E.C. report. "The ability to combine security and mobility in Europe is one of the main tests of the feasibility of abolishing frontier controls." Yet, as the final E.C. document on the subject admits, border controls have up to now contributed little to European security: "Anyone with intimate knowledge of these matters knows that the present frontier controls are ineffective. What we are looking for are more effective controls . . . and the abolition of the internal frontiers offers us the opportunity to do just that."

Although the report admits that the security threat is dubious, fear seems to have permeated conservative European governments. Great Britain, France, Spain and West Germany are all supporting the establishment of these "necessary" security measures.

Nothing frightens civil liberties experts more than the prospect of a Europe-wide police force that will be exempt from external controls by any of the E.C.'s member governments. Spurred by the fear of terrorism, Europe has coordinated its police policy in the so-called Trevi process, under which E.C. interior and justice ministers meet informally to coordinate anticrime policy. (The group takes its name from its first meeting at Trevi, Italy, in 1976.) These meetings have resulted in "the setting up of a secure communications link between police forces of the member states, intensification of liaison between police forces, and the mutual exchange of information about people excluded from the territory of any one member state," according to one expert on European Community law at the Ernst and Young consulting firm in Brussels.

International police cooperation was stepped up in 1986, when France, West Germany, Belgium, Luxembourg and the Netherlands initiated a trial accord called the "Schengen Agreement," named after the Luxembourg village in which the five met. The Schengen experiment dropped border controls among the five states. This meant that it was finally possible to take the train from Paris to Amsterdam without being harassed.

More ominously, however, the Schengen accord initiated regular meetings among police forces from all five countries. On an almost weekly basis, experts from the international police forces meet and exchange information. The meetings technically fall under the supervision of the foreign ministers of the twelve E.C. nations, but meetings at the ministerial level take place only twice a year. In practice, therefore, the group is responsible only to itself.

In March 1988, some alarming proposals emerged from these meetings. At a session of the Trevi group in Seville, Spain's Socialist Prime Minister, Felipe González, added his voice to those who want increased security measures. Spain pushed for the creation of a European police school and a permanent secretariat that would coordinate police activity in the E.C. Both bodies would work toward the creation of a federal, or pan-European, police force. West German Chancellor Helmut Kohl has repeatedly insisted that the purpose of such a police force would be to centralize information on "criminals."

"The Trevi decisions, the so-called Schengen laboratory," says Paul Hervé, of Belgium's Human Rights League, "pose one obvious problem. No one, outside of the two groups, knows what decisions have been made. This patent lack of transparency means that there is no public control or answerability. Obviously these activities

*Andrew Rosenbaum, who lives in Paris, writes regularly on business and politics.*

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should not take place behind closed doors."

"A pan-European police organization creates distinct dangers for civil liberties here," agrees Paul Hunt. "Such an organization would have no local responsibility." A European F.B.I. would be answerable only to a Brussels commissioner, who would not have to answer to the communities that had complaints to make.

The possibility for exchange of information between the various European police services is another concern. "When information about a suspect passes from one country's police to another," adds Hunt, "there is no overall authority who can guarantee that the individual's rights are not being violated."

Perhaps the most perilous use of shared information about citizens will be in the form of computerized ID cards, which many E.C. governments want to make obligatory for all European citizens. Civil liberties experts say that "universal identifiers"—which give the authorities unlimited access to the holder's past—constitute a grave danger. And the police controls that accompany the use of these cards simply increase the dangers.

To illustrate their point, these experts like to tell the tale of the Naked Man. One hot summer day, teenager John Doe decided to take a quick skinny-dip in the local creek. The police arrested him. Since then, whenever there is a sex crime in the neighborhood, Mr. Doe gets picked up.

Since 1987 West Germany has obliged its citizens to carry machine-readable identity cards, even though there is strong opposition from civil liberties organizations, as well as from establishment magazines like *Der Spiegel*. The British Home Office, for its part, is supporting plans for a national, machine-readable card. It is also asking for wide police powers to make checks and a requirement that everyone should report changes of residence. And the British version of the E.C. passport includes machine-readable (but not human-readable) printed characters that the Home Office insists contain no more information than a normal passport. Yet only the Home Office knows.

Even France, birthplace of the Declaration of the Rights of Man and Citizen, has fallen into step. According to high-level sources in the French police force, preparations to implement machine-readable identity cards are already under way. The ruling Socialists have loosened restrictions on police surveillance of the population.

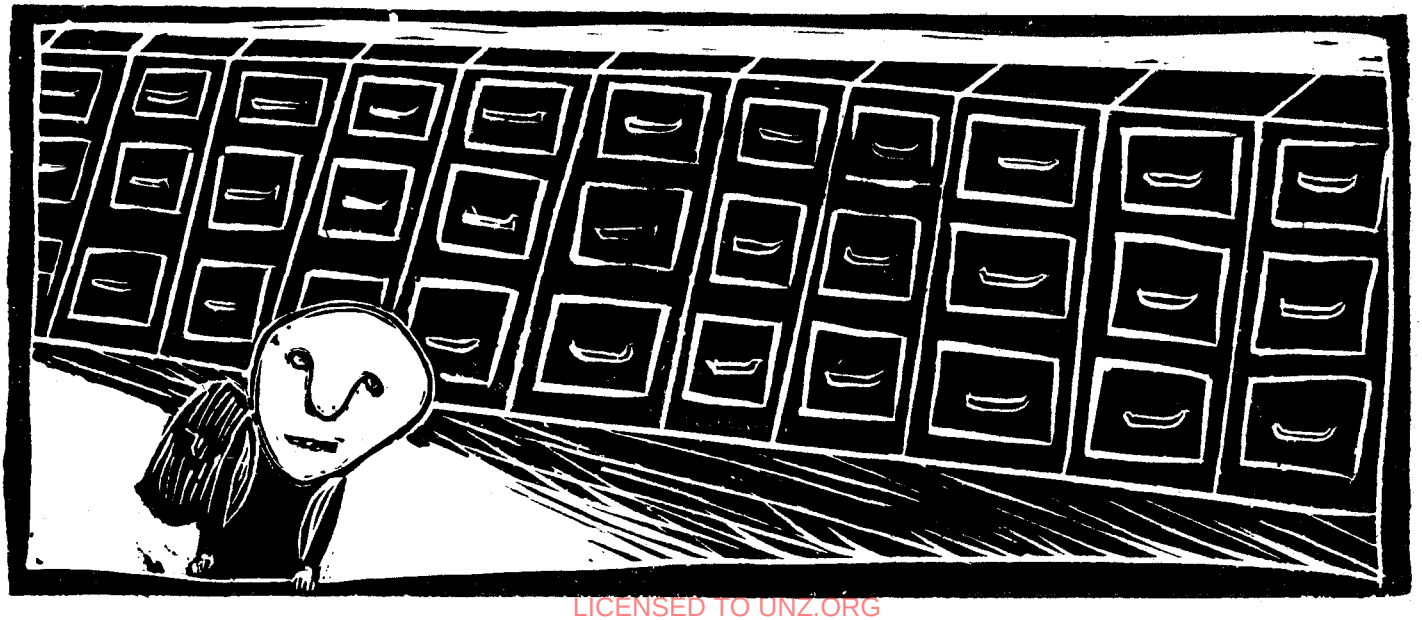
"The trend in all these countries," explains a report from Britain's N.C.C.L., "has been to link the various plastic cards issued to individuals with central data banks, using a machine-readable printed code, or magnetic strip on the card. . . . The information can be added or changed whenever it is passed through a terminal. . . . What started out as a piece of paper carrying only essential personal details can now be transformed into a coded police dossier, labelling the unwitting carrier of it in ways the person is unaware of."

European human rights organizations have noted exceptional police harassment of minorities and dissident groups when a compulsory card system is in force. In West Germany card checks have been used to identify antigovernment demonstrators, who have been subject to special monitoring by the local police.

A unified Europe also might raise its barriers to keep out the so-called extracommunity citizens, who are refugees and immigrants. Some Western European countries have had an extremely liberal policy toward the admission of those who flee persecution in other countries. The Trevi group is seeking to harmonize visa policies among the twelve E.C. countries, but, as refugee administrators fear, the policies of the more liberal nations will not be the basis of a common policy.

Refugees will have trouble even getting into the E.C. And if they can't get in, they won't be able to ask for asylum. "Countries like Italy have always had a liberal admission policy for refugees," comments Father Robert Vitillo, a director of the refugee aid organization Caritas International in Rome. "If E.C. policy is determined along restrictive lines, then these people—many of whom are in need—will no longer have a chance even to ask for asylum."

But the fear of open internal borders has, apparently, made the Trevi commission deaf to this kind of considera-



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tion. "The Trevi group," says Raymond Hall, a spokesman for the United Nations High Commission for Refugees, "has no interchange with us on policy issues. The group's determinations on refugee issues should be made in public fora, so that we can reply. It would be a pity if legitimate refugees had to suffer because of the creation of a stringent community policy."

Ironically, civil libertarians are not the only ones worried by the increased security measures of E.C. governments. Even police officials and antiterrorism experts acknowledge that the policies under consideration are without a legitimate basis. "Extreme measures are not necessary," acknowledges Bernard Deleplace, secretary of the French police union. Deleplace maintains that what is needed for 1992 is education. "We are promoting exchanges between our police and those of other member nations," he says. "Education will do much more to protect citizens in 1992 than technological devices."

Professor Paul Wilkinson of Aberdeen University, probably the world's foremost authority on the prevention of terrorism, agrees. "I don't think we should go too far down the line of restricting individual liberties," he says. "Both the approaches proposed are unpalatable. The West German–type technological refinement is ineffective, and the creation of a European F.B.I. doesn't make much sense." He continues, "The institutional part is what is lacking. We should have a European criminal court, with a full body of penal law to back it up. This would insure that human rights aren't violated, and would also resolve the question of tracking the drug dealer who tries to escape by crossing an internal border."

But there is no evidence that Professor Wilkinson's proposals have received any attention either in Brussels or in Strasbourg. So the new "free" market to be created in 1992 may just mean a mockery of freedom for the E.C. citizens who will have to stand the consequences of the decision. While the big corporations enjoy the huge profits to be earned in the new "Single Internal Market," Europe may follow the example of Singapore, becoming a kind of grimly homogeneous workplace where conformity is the only possible choice. □


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HI, HISTORY, GET ME REWRITE

# The Remaking Of Robert Bork

MICHAEL PERTSCHUK AND WENDY SCHAETZEL

On May 31 George Will, in the course of a column devoted to the flowering of civic nastiness in Congress and elsewhere, reached back two years to retrieve a negative image from the campaign to defeat the Supreme Court nomination of Robert Bork. In that campaign, recalled Will, "nastiness was covered with a cloying incense of ethical pretense. It clicked when some of Bork's critics in the media laid their muddy hands on a list of movies he had rented."

That is a lie. In fact, a reporter for Washington's *City Paper*, who had never written previously about Bork and had no discernible position on the Bork nomination, wrote what was intended to be a whimsical article celebrating his own genius in obtaining a copy of Bork's videocassette rental records from Bork's local video store. No one associated with the anti-Bork coalition, nor any journalist who had criticized the nominee, was in any way associated with this misadventure.

But Will is hardly a solitary voice in casting fresh calumnies on the anti-Bork campaign. Bork's champion, Suzanne Garment, wrote, "The American Left . . . acted with a contempt for intellect at least as bad in its way as anything that ever came out of the fundamentalist Right of the 20's." Columnist Charles Krauthammer scorned the campaign as "one of the most mendacious media campaigns ever launched against a public official."

The history of the Bork nomination is being revised daily. For many on the right, and others who have uncritically absorbed the message, the defeat of Bork is now customarily

*Michael Pertschuk and Wendy Schaetzel are co-authors of* The People Rising: The Campaign Against the Bork Nomination *(Thunder's Mouth Press).*

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and casually linked with such unsavory controversies as the Iran/*contra* scandal, the low blows of the Bush presidential campaign, the opposition to the nomination of John Tower for Secretary of Defense and the Congressional ethics scandals.

Why is the right so preoccupied with the Bork defeat? After all, his replacement, Anthony Kennedy, is hewing closely to the conservative social agenda on abortion and other issues.

The answer is that the right fears that Bush may have received a different message from the Bork defeat: namely, that an informed and thoughtful majority of the American public, speaking through an informed and thoughtful Senate, resoundingly rejected the Reagan/right agenda for the Court.

Soon Bush will have a Supreme Court nomination to make. If, as the right charges, the American public was misled by the left in rising up against the Bork nomination, then Bush should not be reluctant to nominate a candidate who adheres to Bork's judicial philosophy. But if the public grasped only too well what Bork stood for, and wanted none of it, Bush would be better advised to nominate a more centrist judge. *That's* what the furious rewriting of history is all about.

Actually, Bork's own words defeated him. The major thrust of the campaign was not to distort what Bork had written and said but to make certain that the Senate paid heed to what he stood for, that the hearings on his nomination be treated as a serious examination of his judicial philosophy and that senators withhold judgment until both Bork and his serious critics among constitutional scholars had their say. They did, and fifty-eight members of the Senate voted to reject the nomination of Bork—the largest margin of defeat for any Supreme Court nominee in history.

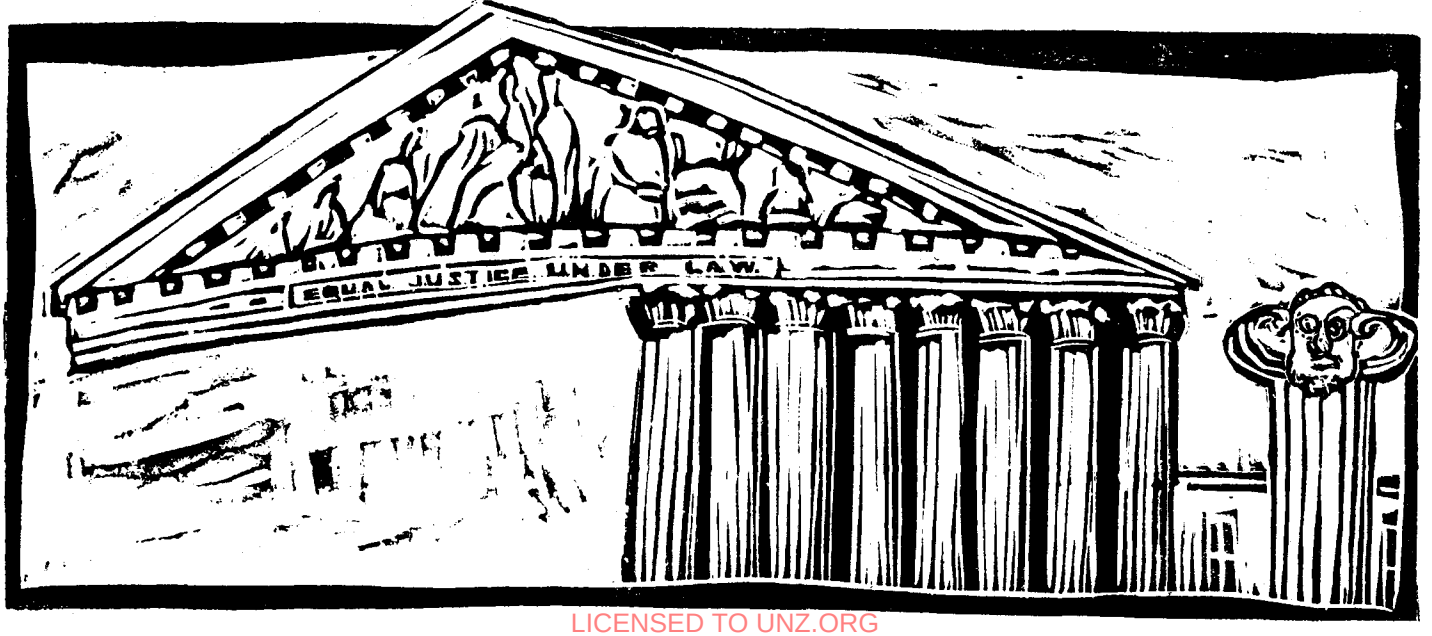
The gravamen of the complaint against Bork's critics was that some of them, by no means all, framed their criticism of Bork's positions and decisions in such a way as to imply that Bork actually desired the outcomes to which his views would lead. But why, for example, is it so unfair to conclude that Bork really opposed the results of the civil rights cases he so consistently and bitterly attacked? Bork was an outspoken supporter of Barry Goldwater's presidential bid in 1964 (though he confessed he really would have preferred the rabidly right Reagan of that time). From 1964 on he favored, *as a matter of policy*, political leaders who opposed civil rights and women's rights legislation and stronger government regulation of business activities.

Testifying in opposition to the Bork nomination, conservative University of Chicago constitutional scholar Philip Kurland, a longtime Bork watcher, warned the Senate Judiciary Committee that Bork's doctrine of original intent "is not a jurisprudential theory, but, like Nixon's 'strict construction,' and Roosevelt's 'back to the Constitution,' [it] is merely a slogan to excuse replacing existing Supreme Court judgments with those closer to the predilections of their expounders."

And Bork's close judicial ally, Judge Richard Posner, made this candid general observation about passionate judicial theorists, Chicago school conservatives included, in 1988:

> It is questionable whether there has been anyone in the history of law who could really divorce his jurisprudential views from his personal and political ones. I think to be convinced of the importance of judicial conservatism, you have to dislike the policies of the courts. It's hard to get excited, without being remarkably detached, about judicial conduct that violates principles unless it is bringing about results you don't like.

The right is also dismayed by the organized, disciplined, grass-roots uprising against the conservative social agenda—an uprising that presaged the great popular mobilization now effectively resisting anti-abortion rights efforts in Congress and the state legislatures. They'd like to blame it on the shrewd machinations of a handful of leftist media manipulators, but they can't. For what was truly glorious about the defeat of Bork, and what truly chills the right, was that great numbers of Americans, stretching across the political spectrum, rose up spontaneously in defense of their Constitution as they had come to cherish and rely upon it. In so doing they displayed unity and a mastery of the strategic skills of

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contemporary political advocacy, which raises hopes for the progressive politics of the 1990s. This, too, unnerves those on the right. □

# The Priest

(*Continued From Front Cover*)

nothing but pussies.'"

"We say, 'Beat us down, go ahead; we got a lot of witnesses.'"

"That one with the mustache, he say, 'We'll get you later, we'll fuck you up.'"

All evening the police cars prowled the street in front of the mission. It was part of the policy of "strict, high-profile enforcement," known officially as Operation Hammer. The gangsters were nervous; sooner or later they would have to leave the church property, walk down the contorted streets past the barrackslike buildings of the projects and go home. Then, they said, the police would pick them up, take them to a nearby factory area which was deserted at night, and "beat them down."

They were little more than children, but each of them seemed to have a history in the dark or in the privacy of the station house. I had first heard of their problems with the police from the young Jesuit priest, Gregory J. Boyle, who ran the mission. We had been talking about the *comunidades de base*, or base communities, and the other organizing techniques he had learned in Bolivia. One of the aims of the *comunidades*, he said, was to stop the murderous gang wars that make Aliso-Pico, an area in the poorest parish in Los Angeles, one of the most dangerous.

The priest had chosen not to go along with the consensus, which was that the gangsters had to be "squashed." He started an alternative school for dropouts, virtually all of whom were gangsters. But the school is a problem because it is located on the top floor of the Dolores Mission Catholic Elementary School, and the idea of boys in the school with gang caps, tattoos and big rags hanging out of their pockets upsets the parents. Boyle made the old white stucco buildings of the mission, which had been declared a sanctuary for undocumented workers and their families, into a place where gangsters, too, could gather to watch television or lift weights or just "kick back." He gave the gangsters summer jobs at minimum wage. In return, he insisted that they live by his rules when they were on church property: no weapons, no drugs, no alcohol. Slowly they came to trust him, so that when he demanded an end to the use of Molotov cocktails by the gangs, they changed the rules of war.

Now they come to him for help in finding jobs, and he, not a lawyer, is the one they telephone when the police allow them the one call after they have been arrested. He speaks to them, whether in Spanish or in the argot of the gang. He knows what it means to "dis the hood" or "tag" a place or "cross out." He knows the meaning of "pleito" (problem) and "placa" (name or insignia), and he understands what can happen when a boy has been taunted by the police to the point where he ties the blue war rag on his head and gets drunk and begins to dance with rage.

The gangsters call him G-Dog, a gang name; they have even awarded him the honorific Loc (from *loco*, crazy). But the use of the church by the gangsters and the willingness of the priest to consider them human, to say that he loves them, have caused problems in the community: "I get this all the time," he said. "'Uno de tus hijos, one of your kids'—and then fill in the blank—'spray-painted my door, stole a bike from my kid, stole all my four tires of my car. Uno de tus hijos . . .'" His work has also caused a serious conflict between the police and the church. "There are," the priest said, "people who want to kick me out of this parish."

The methods of the police are calumny and harassment. If there is a dance at the mission, the police will suddenly invade the property, putting all the gangsters up against the wall. If the police see a gangster in a car, they will stop the car, tear it apart looking for dope, and when they find nothing, ticket the kid for having a broken headlight. In community meetings and casual contacts with members of the parish, the police speak against the priest. It is not respectable to consider the gangsters human.

When I asked him if the stories I had been told of police brutality and harassment were a matter of policy or merely isolated instances, he said, "Talk to the gangsters yourself."

Twelve gangs operate in Aliso-Pico: The Mob Crew, known as TMC; the East LA Dukes; East Coast Crips (the one black gang); Al Capone; and Clarence Street Locos are the largest. G-Dog arranged for me to meet with members of several of the gangs in a small room in the mission. I sat in a straight chair; the gangsters lounged on broken-down couches or sat on the floor. It was a curious meeting, an extraordinary display of manners by a group of adolescents. They spoke in turn, softly, explaining the language of the gang whenever they sensed that I might be lost. All were Chicano but one, a well-spoken black, handsome enough to be an actor and as self-possessed as a member of Skull and Bones at Yale, who said after the meeting that he was from the East Coast Crips, a branch of the countywide gang, which is allied with TMC.

This is what he and the others said. They asked that neither their names nor their gang names be used for fear of retaliation by the police.

A

They stopped us at the park, CRASH [Community Resources Against Street Hoodlums, a police antigang unit]. I was walking away. He seen me; he was passing by. He jumped over the fence. He hit me here in my face. He picked me up. He grabbed my chains, threw them in the trash. He got me by my balls, started squeezing my balls and threw me on the ground. He put me in the car, took me to the police

*Earl Shorris is the author of* Under the Fifth Sun: A Novel of Pancho Villa *(Delacorte). He is writing a book about Latinos in the United States.*

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station. The cop's name is Shepherd. It happened in April of this year. I'm 16. It was at night, about 8:30 or 9. We were in the park kicking back. They took me to the Glass House [Parker Center County Jail]. They took pictures of what they did to me [after his mother had lodged a complaint]; then they sent me a letter saying they can't do nothing.

B

We were in the store. A cop came in and hit us. Hit him [another boy sitting across the room] in the face. He hit me with the billy club under my arm. He knocked out all the [potato] chips. He bombed on him, made him fly through all the chips. Pah, he hit him like that, and I laughed, and he said, "Put your stuff down." I put it down, slow. Pah! He hit me in my jaw. I said, "Oh, man!" I stepped back. He got me from my back, put me down on the floor.

C

They know me already, because all the time they hit me. My mom goes up to the police station complaining, and they say they can't do nothing about it. I'm 15.

D

Once I was coming out of my house. There's an archway. We were hanging there. I came out of the house. I stopped to talk to my friend. We were riding off. They were just picking up anybody, anybody they see, beating them up and taking them to the police station. They stopped, just like that, and started beating us up. They hit my homeboy in the head. Cut him up, about six stitches in his head. Came after me, Boom! Hit me in my stomach. I fell. Then two other cops come, and one cop started hitting me in the head. Pah! About three times. They took us to the station, checked us out. We don't have nothing. They let us go. It was last year; I was 15.

E

I was in the station all day, until the night [brought in as a murder suspect; someone else was later arrested and charged with the crime]. They were saying, "We got people saying it was you." And I was like, "If you got so much proof, just take me in." They started beating me up when I said that. They say, "You can't tell me what my job is." You know, socking me, slapping me in the face. This one, he said, "I'm crazy," and he jump up on the table, and he start kicking me in my face. They beat me up, then the sergeant came in. They made me sit on my hands while they asked me a question, because, you know, I was blocking them every time they hit me. They made me sit on my hands, and they started slapping me in the head. I was 15.

F

The guy who just left here, they took him to his house, and they told his mom, "You let your son do this and that." And she say, "No, no," you know. White light! They socked her, and he went crazy, you know. "What did you do that to my mom?" And then they started beating him down, and his mom was like, "No, no." And they socked her again and they handcuffed her to the staircase. And then they were beating him up, and they took his mom too for interfering.

G

Once, we were coming back from the store. It was closed. And this cop and a lady cop stopped us. They hit my homeboy; they were beating him down. He had a beanie. This cop took out his gum from his mouth and picked up the beanie and put the gum on my homeboy's head and smashed it down with the beanie.

H

It's like another gang beating up our friends. One time, we were in the park, they hurt our friend bad, they like almost broke his ribs. They chased us out of the park, and they catch our friend—he's in jail right now—and they have him in the alley where no one can see them, and they beat him down. They beat him *down*. He couldn't even walk. We had to carry him out. They shocked him in the ear with the shocker. You know how many volts that got! We took him to his house and call the ambulance. We told them our friend got beat up, you know. They called the cops, who came and told us, "You guys get out of here before we beat you up." We left, and they let him sit right there.

I

If you say you want a lawyer, they'll kick ass.

"What did you say? You want to press charges against me?" They'll take you somewhere, they'll take you to the factories and beat the shit out of you. Everybody's scared of the factories. Once they see the factories, they know what's gonna happen.

J

The Housing [police employed by the L.A. Housing Authority, less well trained than the metropolitan police] caught my homeboy in the archway right here and they had him on his knees, with the gun in his mouth. He was crying. "You better not move. You better not say nothing." He was already crying. He thought they were gonna shoot him. He was upset. Afterward, he came to us, he was upset, he was going off. They're just a gang, but they're legal.

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Capt. Bob Medina, whose Hollenbeck Station command includes Aliso-Pico, denies that any of his officers have harassed the gangsters or used excessive force, although he said the police policy is "strict, high-profile enforcement." Community activists say that Medina, who is relatively new in his job, is not a good captain, that he will not accept complaints. Medina spent five and a half years in the Police Department's Internal Affairs Office investigating illegal acts by police officers. He said, "I sent one of the guys I went to the academy with to the joint." He says he will investigate every complaint, that he knows how to do it. He claimed that he was not hostile to Father Boyle's work with the gangsters. "By and large, I think he's doing the right thing," Medina said, then added, "I think he might be off base in keeping information from us."

But the gangsters tell another story. When the boy with the beanie was later arrested for shooting at police cars from a rooftop, the police who were interrogating him told him G-Dog was "no damn good." When the boy defended the priest, saying "He's the only one who cares about us," the police beat him. The boy told the priest they beat him for two hours until he confessed to the shooting. Then they read him his Miranda rights.

The gangsters named several of the police officers who regularly harass or beat them: Officers Shepherd, Martínez, Kellor and Aguila (or Avila). A member of the Neighborhood Watch community action group, Carmen Lima, said the police think all children are criminals. She described several incidents, including one she observed from her apartment window, in which children who did not appear to be gang members were handcuffed and made to kneel for as long as half an hour while Housing Police, who are not under Captain Medina's command, held guns to their heads. Her own son, who is 19 years old, works full time and has never been a gang member, has suffered the same kind of humiliation.

On the east side of Los Angeles anyone can get caught up in the wars. Since the White Fence and Tortilla Flats gangs came into existence during the Depression, the Mexicans and Mexican-Americans, known as Zoot Suiters, Pachucos, Cholos or Chicanos, have been fighting one another with sticks, fists, knives and sometimes guns. That is the internecine war. A second war is fought by police, who attack the gangsters with insults, billy clubs, flashlights, cattle-prods, fists and guns.

Neither of the wars is legal; both have spread into the general community. The gangsters sell drugs, commit other crimes and sometimes shoot bystanders during their battles. The pattern of police brutality predates the Zoot Suit Riots of the World War II era. Ruben Salazar, the newsman who was shot to death by a Los Angeles County deputy sheriff in 1969, wrote often in the *Los Angeles Times* describing the harassment and beating of Mexican-Americans by police and sheriff's deputies. Those abuses continue, according to the Latino Community Justice Center, with much of the police violence directed against people who are extremely vulnerable because they cannot speak English. The gangsters speak English, but they are also helpless. They have no allies in the establishment world. They are outlaws by choice, living by a highly articulated moral code based on fraternity and territoriality, a code that permits them to sell hard drugs but not to use them. Like that of the deceit-loving Dobus, about whom Ruth Benedict wrote, the gangsters' code seems ironic, a mirror image of our own.

At the end of the night, when G-Dog was closing down the mission, and the homeless, undocumented workers and families who also find sanctuary there were going to bed, the gangsters became calm. Instead of tales of war, they began talking about going home. They asked the priest or me to give them a ride, to spare them the beating the police had promised that night. They were afraid, and I understood then what Gregory Boyle meant when he said he loved them because he had seen them when they were most vulnerable.

For G-Dog the situation is becoming increasingly difficult, reminiscent of the double bind priests in Latin America have found themselves in. He opposes illegal acts by the gangsters yet he is close to them, he loves them. On the other hand, he wants to defend the members of his parish against violence and crime, but he knows that the policy of the police, which is to "squash" the gangsters, is not the answer.

In response to repression the gangsters have become urban guerrillas, not revolutionaries but members of a negative society. Their neighborhood, across the river from white Los Angeles, has become a banana republic, a murderous, anarchic place where helicopters seek out children in the night and black-gloved police squeeze them until they explode with rage. To the gangsters, it is the never-ending war of class and race made quick. They know what the police intend for them, what "strict, high-profile enforcement" means, but they cannot escape. Inside the cage the underdogs tear one another to pieces. □

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# BOOKS & THE ARTS.

## Law Without Justice

SANFORD LEVINSON

THE PEOPLE RISING: The Campaign Against the Bork Nomination. *By Michael Pertschuk and Wendy Schaetzel. Thunder's Mouth Press. 288 pp. $24.95. Paper $13.95.*

THE TEMPTING OF AMERICA: The Political Seduction of the Law. *By Robert H. Bork. The Free Press. 432 pp. $22.50.*

BATTLE FOR JUSTICE: How the Bork Nomination Shook America. *By Ethan Bronner. W.W. Norton. 399 pp. $22.50.*

> Robert Bork's America is a land in which women would be forced into back-alley abortions, blacks would sit at segregated lunch counters, rogue police could break down citizens' doors in midnight raids, school children could not be taught about evolution, writers and artists could be censored at the whim of government, and the doors of the federal courts would be shut on the fingers of millions of citizens for whom the judiciary is—and is often the only—protector of the individual rights that are the heart of our democracy.

One of the few things that Robert Bork, Ethan Bronner, Michael Pertschuk and Wendy Schaetzel agree on is the importance of this statement, delivered by Senator Edward Kennedy on July 1, 1987, immediately after the announcement of President Reagan's nomination of Robert Bork to succeed Lewis Powell as Associate Justice of the Supreme Court. Pertschuk (a member of *The Nation*'s editorial board) and Schaetzel, in *The People Rising: The Campaign Against the Bork Nomination*, a remarkably candid insiders' report on the campaign against that nomination, acknowledge the boost that Kennedy's speech gave Bork's adversaries. It served "public notice on the nation—and the Senate—that there was to be a bloody battle, and that no member could assume that reflexive acquiescence to the president's choice would be without political pain."

*Sanford Levinson, professor of law at the University of Texas Law School, is the author of* Constitutional Faith *(Princeton University Press).*

According to Bork, who combines in *The Tempting of America: The Political Seduction of the Law* both constitutional theory and a memoir of his nomination struggle, Kennedy's speech was "outrageous," "a calculated personal assault by a shrewd politician, an assault more violent than any against a judicial nominee in our country's history." His rejection presumably would not have occurred had senators voted on the "real Bork" instead of the version depicted by Kennedy and popularized by the movement lovingly described by Pertschuk and Schaetzel.

Bronner, a journalist for *The Boston Globe* who offers a well-crafted and insightful overview of the nomination struggle in *Battle for Justice: How the Bork Nomination Shook America*, writes that Kennedy "had shamelessly twisted Bork's world view" and "distort[ed] Bork's record." This is a troubling accusation, for even Bork's most devoted opponents, of whom I was one, must reject distortion as a political weapon. How proud can we be of keeping Bork off the Supreme Court if we did it by emulating the kind of politics we rightfully condemn when practiced by thugs like Lee Atwater and Roger Ailes? Was the Kennedy speech as blemished as Bronner suggests? Or can we in good faith applaud it not only as a brilliant political stratagem—the act, in Bronner's words, of "a confident and seasoned politician"—but also as a defensible description of Bork's jurisprudence and the justification for the campaign against him?

Kennedy's statement is misleading insofar as it runs together implications about Bork's jurisprudence and his political preferences. To the extent that a reader infers that Bork personally opposes abortion or supports segregated lunch counters, rogue police behavior or governmental censorship, Bork was done an injustice, for there is not the slightest evidence that he holds such views. But as Bork himself argues in his book, the central issue of his nomination was not how he would vote were he a senator but how he would behave as a member of the Supreme Court. We must then ask whether his constitutional jurisprudence, if generally adopted, would make more likely the horrors envisioned by Kennedy.

Kennedy's statement, whether by design or oversight, uses both "would" and "could," words of considerably different meaning. The first is a prediction, the second only a possibility. I suggest that the reader substitute "could" in Kennedy's speech wherever "would" now appears. Thus the first clause would read, "Robert Bork's America is a land in which women could [if states chose to criminalize abortion] be forced into back-alley abortions." The question here, as throughout the paragraph, is whether there are meaningful constitutional limits on the exercise of state power.

The lunch counter reference, which concerns the right of private restaurant owners to exercise unhindered discretion over access to their services, presents a paradox. Bork gained notoriety for condemning what became the public accommodations section of the Civil Rights Act of 1964 as an illegitimate use of governmental power against the traditional rights of the individual property owner. He was therefore willing to tolerate a regime of property rights that meant that "blacks would sit at segregated lunch counters" at least until the restaurant owners voluntarily changed their racist ways. However, by the time of his nomination as Solicitor General in 1973, he had rejected his former libertarian philosophy and espoused his approval of the act. There is also no reason to believe that he would ever have hesitated to strike down any law that mandated racially segregated lunch counters. Still, it is true that Bork never exhibited the slightest interest in or sympathy for the plight of black Americans; this led William Coleman, a loyal and distinguished Republican who had served in Gerald Ford's cabinet, to his extremely important decision to oppose the Bork nomination.

How unfair would the paragraph have been if its two "woulds" were changed to "could"? And how unfair was it even as it was delivered? What *is* Robert Bork's view of the responsibility of Federal judges who are sworn to uphold the Constitution? His book is obviously the best guide to answering this crucial question.

Bork represents himself as a proponent of "judicial restraint." Progressives should remember that for most of American history, we were the ones who condemned judicial activism and urged greater deference to ostensibly majoritarian legislatures. Two Justices famous for promoting this theory were Oliver

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Wendell Holmes and Hugo Black, both heroes to many liberals. Indeed, one of the great mysteries of Bork's surprisingly inept testimony was his failure to wrap himself in the mantles of Holmes and Black. It was Holmes, after all, in his famous dissent in the *Lochner v. New York* case in 1905, who counseled the Court to acquiesce even in "tyrannical" laws as long as they expressed the will of the majority. Although Black thought the Court could legitimately strike down legislation promoted by specific constitutional text, he rejected constitutional claims in the absence of such text. Thus he vigorously dissented in *Griswold v. Connecticut* in 1965, which struck down a birth-control law, because he could find no right to privacy protected by the unadorned constitutional text. So why didn't Bork try to hoist liberals with their own petard by asking if they would really refuse to confirm Holmes and Black?

The problem is that neither of those Justices was sufficiently restrained for Bork. Indeed, his version of restraint is the most extreme of any person nominated to the Supreme Court, at least in this century. For Bork the *Lochner* dissent was "flawed" because Holmes went on to suggest that the judiciary might legitimately strike down statutes that "would infringe fundamental principles as they have been understood by the traditions of our people and our law." Nothing infuriates Bork more. The brunt of his book is a relentless, almost obsessive attack on anyone misguided enough to believe that there might be unwritten rights ascertainable by judges and capable of being used to limit the acts of a putatively majoritarian government. His attack extends even to conservatives like John Marshall Harlan, William Rehnquist and Antonin Scalia, all of whom accept at least some notion of "fundamental principles."

So what about Black, who not only obviously shared Bork's views about the impropriety of *Griswold* but also would have been even more furious at the Court's decision in *Roe v. Wade*? (Similarly, when the Court in a 1966 case invalidated Virginia's poll tax, Black dissented because there was no text prohibiting what was, after all, a traditional state practice. Bork agrees.) The problem for Bork is that Black saw in the Constitution a panoply of "enumerated rights" that he was willing to enforce to the hilt. Most important were those suggested by the unequivocal language of the First Amendment (Congress "shall make no law" abridging the freedoms it protects), which Black applied to strike down limitations on persons ranging from Communists to pornographers. Although Bork is capable of enforcing aspects of the First Amendment with genuine zeal, his First Amendment is far more limited than Black's. For Bork, advocacy of *any* criminal conduct is unprotected, let alone the advocacy of violent overthrow of the government, which Black clearly protected. Moreover, Black strongly (and persuasively) argued that the Fourteenth Amendment should be read as "incorporating" the Bill of Rights to limit state as well as Federal power, whereas Bork ridicules the idea that the language in that amendment concerning "privileges or immunities of citizens of the United States" has any real meaning at all, let alone that it plausibly refers to the guarantees laid out in the Bill of Rights. There is no reason to think, for example, that Bork's interpretation of the Constitution includes the kind of exclusionary rules of evidence or imposition of liability on municipalities that are necessary to deter "rogue police" from illegal conduct.

Robert Bork's vision of American constitutionalism *does* countenance the


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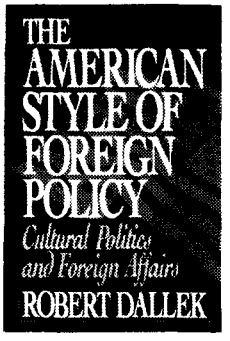


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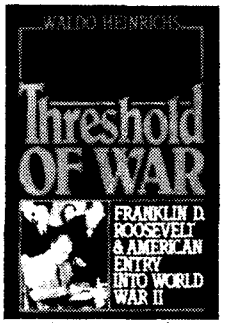


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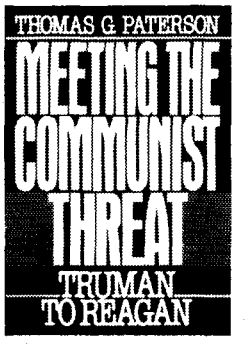


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judicial tolerance of certain evils that would be denied in other constitutional approaches. He has a notion of "law" uncontaminated by "justice" or respect for the notion of "fundamental rights" that undergird our political system.

Former judge Shirley Hufstedler has remarked that Bork's "quest for certitudes," amply revealed on almost every page of his book, has led him to avoid "having to confront the grief and the untidiness of the human condition." Bork has confronted with courage and dignity immense grief in his own personal life. Early deaths from cancer deprived him of a wife to whom he was devoted and of his best friend, Alexander Bickel. But he seems unable to generate much understanding of the misfortunes of strangers who ask the legal system to help them out by relying on admittedly vague, open-ended and intellectually messy terms such as "due process" or "equal protection" of the law—let alone the unenumerated rights that the Ninth Amendment specifically warns us against ignoring merely because they are not written down.

*The Tempting of America* reveals no evidence of Bork's capacity for empathy, which in turn might generate the imagination of constitutional possibility exhibited by our greatest judges, who are aware that a central, if not overriding, purpose of the Constitution is to "establish justice." Bronner notes that Bork damaged himself severely when he answered, in response to Senator Alan Simpson's gentle question about why he wished to serve on the Court, that he wanted to engage in the "intellectual feast" offered by the conundrums presented to the Court for decision. No one who reads even a page of Bork's book could miss his extraordinary passion, but it is the passion of a puzzle solver who can manage to distance himself from the messy human realities presented by actual legislation.

Another attribute revealed in the book is his lack of intellectual charity toward those who disagree with him. He describes himself as a partisan of "the orthodoxy of original understanding," the notion that the interpretation of disputed constitutional language should be restricted to the likely meanings imparted to it at the time of ratification. The most contentious subject of dispute is the equal protection clause of the Fourteenth Amendment, and Bork views its 1868 ratifiers as intending it seriously to limit the state only in using race as the basis for allocating benefits or burdens. He thus rejects using the clause to give any strong protection to women against burdensome gender classifications. As Mickey Kraus demonstrated in an excellent review in *The New Republic*, Bork's own application of this "orthodoxy" is itself arbitrary, though this does not stop Bork from denouncing as "heresy" any deviation from his professed orthodoxy. This is obviously the language of religious zealotry, and the sensibility revealed in the book is ultimately that of a Savonarola, lashing out at heretics and urging that they be eliminated from the public square, if not burned at the stake. There is thus something almost hilarious in Allan Bloom's prepublication blurb, which describes Bork as "never doctrinaire." (I also wonder how Bloom can so easily praise a man who is clearly, like Holmes, a moral skeptic, even though Bork panders to his presumed audience by ritual denunciation of "moral relativism.")

Bork's intolerance of those he deems heretics is made especially clear in what is perhaps the most important single passage of the book, in which he forthrightly announces its purpose: "To persuade Americans that no person should be nominated or confirmed who does not display both a grasp of and devotion to the philosophy of original understanding." That is, he does not object to ideological tests for the judiciary; he objects only to the application of the wrong test, the one that was used to disqualify him. He might protest that his own test is non-ideological, that it refers simply to the one true notion of constitutional interpretation, but this is evidence only of the extent to which he is a true believer, unable to accept the possibility of good-faith disagreement or methodological pluralism. In any event, we should be grateful to Bork for this implicit rejection of the claims of some of his supporters that senators should look only at "professional qualifications" and avoid confronting the individual constitutional theories of nominees. This means, of course, that conservatives will be wholly justified in raising questions about the legal ideologies of what one hopes will be future liberal nominees, but this is a small price to pay for greater cogency in debating the merits of judicial selection.

There is nothing in *The Tempting of America* that should make any of us who opposed Bork regret that decision, even as we should have the minimal grace to concede that Bork was in fact the victim of specific unfairnesses and distortions,

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including the egregious use made by Senator Howell Heflin of Bork's presumed agnosticism. But what about Kennedy's speech? Although it was certainly overdrawn and misleading in particular respects, its thrust was fundamentally accurate. And for his leadership, which helped to transform into reality seemingly naïve hopes of beating the nomination, Senator Kennedy earned the gratitude of everyone who envisions a Constitution truly worthy of respect and perhaps even, as James Madison desired, veneration. □

# On Truth and Fiction

HERBERT GOLD

The dreamland of Haiti, the complications of desire and AIDS have a peculiar connection with a novel, *Slave Trade*, published by a non-gay writer from San Francisco in 1979 in that last period before acquired immune deficiency syndrome had been diagnosed. Art imitates life, sometimes in advance.

I intended to write an entertainment about a San Francisco private eye who wandered into the business of transporting Haitian boys to boy-lovers all over the world. It's a shady commerce, and it was destined to lead Sid Kasdan—an imaginary frazzled person—into real dilemmas. It led Sid Kasdan's begetter, an actual, living, frazzled writer, into a belief-taxing incident one evening. (Haiti's most abundant natural resource is the taxing of belief.)

My story grew out of memory and rumor. Although I was no expert on details of the trade in boys, the facts were not so secret. During my years in Haiti, I was friendly with a charming and cultivated American priest who educated lads for export. The image of Father Martin in his robes—with his company of smiling acolytes, in uniform white cotton shorts, serving in the garden—stayed in my mind.

For a writer going through personal distractions, an escape into the indulgence of melodrama can provide what the maker of an analgesic calls temporary fast relief. *Slave Trade* was intended to offer a lively passing of time. Modestly I promised that the novel would be the best book ever written about the intersection of Haiti and San Francisco in the specialized commerce of homosexual concubinage. For my friends, the proprietors of the Grand Hotel Oloffson, the Habitation Leclerc and the Relais de l'Empereur, *Slave Trade* contributed to a surprising result—a boom in gay tourism.

Overvaluing, as writers sometimes do, the impact of my book on local authorities, I decided to visit Haiti one last time just before it was published. I was banned during the final evil days of Papa Doc; I expected to be banned again by Baby Doc, the Supreme Son.

One of my friends in Port-au-Prince, Jacques Large, had been the Official Uncloseted Haitian Homosexual during a time when there was no other. He had also worked as an assistant in Africa for Dag Hammarskjöld, Secretary General of the United Nations. I confided in Jacques; the idea of my book amused him. "But mon cher ami! Would it not be interesting for you to come down from the clouds?"

"You tell me, pal."

He offered to show me some of the factual basis of the novel I had written from hints and rumors.

Vladimir Nabokov remarked that Gogol built the firm foundations for his books after he finished them; I accepted Jacques's invitation. He would lead me on a tour of the house of Monsieur G., who was in the business of cultivating, training and exporting comely lads. The best time for our visit, Jacques decided, was during Monsieur G.'s regular Friday evening salon. I arranged for my daughter, Nina, to spend the evening with friends. Jacques would make all the other arrangements.

I wasn't sure what to expect. "Du calme," Jacques advised.

An evangelical group had put up a sign in English on a house: HE IS COMING AGAIN IN GREAT POWER AND MAJESTY. As we drove by Jacques murmured, "But I'm sure Doc is still dead." He told me his cousin in Jacmel once saw Grande Erzulie dancing on top of a commode, told her priest and the priest berated her for superstitious backsliding. That couldn't have been Grande Erzulie, the great goddess of fertility and lust, on that commode. That must have been the great Virgin.

And then Jacques took to whistling and humming to himself, a mantra to keep his patience while he steered around what looked like a water buffalo on the road, with the black, doggy pigs nipping at its droppings.

The house of Monsieur G., in the Martissant district of Port-au-Prince, was sealed against harbor breezes, unlike most Haitian elite dwellings, and equipped with an electric generator, stereos, speakers, rugs, a samovar on an inlaid table, paintings, extension cords, air conditioning. In addition to sporting goods, imported fashion magazines and terrific kitchen and bathroom equipment, there was a large family of pets. Our host, an aging but fast-moving person in a wig, greeted me cordially, holding my hand in both of his. Monsieur G. must have been bald. His wig, oxidized by time and weather, and perhaps by the fumes of his dream life, resembled a rusty Brillo pad.

The other early guests were middle-aged, middle-class, well-dressed and mulatto, except for one white Frenchman in twill riding clothes with puttees. Jacques whispered to me that these were the "Bon Ton Macoutes."

There were also three or four black houseboys in white shorts, busily filling glasses with Scotch and whisking away debris.

Now about that debris. Most of it came from a half-dozen uncaged monkeys, chattering and leaping from perches and furniture, sometimes timidly clinging to abutments from the ceiling, making cute snapping sounds like flags in a wind, but nervously dropping monkey dung upon the leather-bound library, the records, the furniture, the people. This was a surprise. Monkeys are not indigenous to Haiti. The chief task of the houseboys, after filling our glasses and passing trays of fried Creole goodies, sweet and crusty morsels of pork and goat, was to lift off the monkey droppings before they could stain a room which was already sufficiently decorated in earth tones.

I had not described any of this in my novel—how could I? Like so much of life in Haiti, it would be difficult to imagine were it not for the fact that it happened to be true. In any case, the salon of Monsieur G. was too peculiar for a novel which aimed to convince readers that the story it recounted really came down upon poor bedraggled Sid Kasdan, San Francisco private eye.

The Frenchman began to chat over our drinks. He complimented me on my command of the language of Proust and

*Herbert Gold's most recent novels are* A Girl of Forty *and* Dreaming *(Donald I. Fine). His book* Travels in San Francisco *(Arcade Publishing-Little, Brown) will be published in February.*

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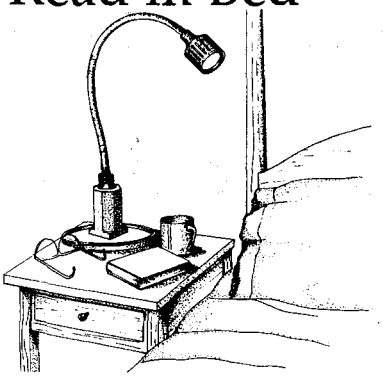

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Cocteau and I complimented him on his. I asked how he happened to find himself in Haiti. Easy to answer: Smiling, suave and gracious, he explained that his insomnia required two black boys every evening, two different ones each night—it was the only remedy. Otherwise sleeplessness tried his patience. In Africa, dear friend, he had tossed and turned. Haiti was the best place. The monkeys were chattering above us, making those snapping, clicking sounds.

How did my new French friend earn his living? By distributing used Pong machines in the bars of Port-au-Prince. There is room for an entrepreneur even in Calcutta and Port-au-Prince, but Calcutta, alas (he had tried the subcontinent), failed to live up to his personal requirements. The boys were not quite dark enough—"pas suffisament foncés." Life is difficult for the specialized man.

As we spoke, a new group of guests was arriving. These were young men in tight jeans and T-shirts, often bearing witty advertising slogans such as "Hialeah Race Track, Hialeah University," or "Apply Below." Besides a color difference—they were darker—their French was creolized, unlike the Parisian diction of the businessmen, broadcasters and professional people who had arrived earlier for Scotch and a few moments of quiet meditation. The monkeys grew more agitated. The houseboys did their best to keep up.

The boys were lanky and shy. The men tended toward stocky and plump. The monkeys leapt. The houseboys poured drinks and scraped monkey shit.

Lovely and desolate, Haiti is a singular corner of the universe: the land God forgot, the land of infinite impossibility, a place of misery, song and sunlight, an ever-accelerating historical disaster. "Beyond the mountain," they say, "stands another mountain"—and another hurricane, another famine, another thieving government. *Slave Trade* placed these nightmares against the adventures of a middle-aged detective from San Francisco, brooding after his departed wife, fallen through negligence into the commerce of boys. It may not have been rational, but it seemed to make perfect sense. Years before, I had asked my friend Alain Gilstein, a private investigator who had fought in the Irgun in Israel, the French Foreign Legion and the U.S. Army, and who along the way had picked up a phobia of automobiles, how he could get along in his career without driving. He answered: "If you look out your window and see a streetcar circling your house, you'll know your wife doesn't trust you." The image of the central character of my book came to me in a hot flash.

No matter how outlandish, a story needs to make real connections with real life below the reverie line. The writer must be convinced and so must the reader. So here is a little list of items inappropriate for my novel: this house in the waterfront Martissant district of Port-au-Prince, our Brillo-topped host, the parrot on its perch, the white-shorted houseboys, and especially *monkeys*—on a Caribbean island which is poor in wildlife and deprived of monkeys. I aimed for verisimilitude. There could be no monkeys in my book.

Sipping Scotch, the French Pong merchant and I began to discuss the German occupation of Paris. It turned out we were born the same year, and while I had been in the U.S. Army, he had joined the blue-shirted Pétainist youth militia. As we gossiped, a tall, broad-shouldered, slim-waisted young man in tight blue jeans and a T-shirt printed with the face of Baby Doc and his slogan, "Travail Famille Patrie" (Work, Family, Country) listened, frowning, turning first to me and then to the Pong dealer. He was trying to follow the conversation. Since he was paying such close attention, the Frenchman smiled upon him and asked his opinion about the Nazis in Paris. The lad answered with a shy stammer: "Les juifs sont des a-a-accapareurs."

Although my French is pretty good, I only understood the first part of the sentence: "The Jews are. . . ."

Winsomely, shyly, with that sweet little stammer, the lad struggled to get through to the white visitors. I listened attentively as this young man explained that the Nazis must have had their reasons; otherwise why would they dislike the Jews? He himself was the proud possessor of a German lover in Miami Beach, where he worked in a hospital as an orderly, and his close German friend had explained that the Jews are a-a-a-accapareur.

I seemed puzzled by that word, so he translated into English: "Poosh-y."

My friend Jacques Large was infuriated. Our host was busy settling people on couches, showing them albums of photographs, urging curls of goat and pork upon them, tickling a timid new arrival to make him feel welcome. The houseboys were scurrying at their labors and the monkey shit was raining about us. Jacques raised his voice at the lad in

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the Baby Doc T-shirt: "You are a black man who has suffered from the white! From the mulatto! You were born to this suffering! And you say Hitler must have had a reason; the Jews did something to deserve their trouble? What have you done to deserve yours, idiot?"

The Frenchman murmured to me, "Il est mignon, mais pas fort dans la politique." (Cute, but politics is not his strong point.)

"Sans-maman!" said Jacques. In Creole this means without a mother, therefore shameless.

While the young man's lips moved in a slow, silent stammer, Jacques jabbed his finger at him. "I know! You work in a Jewish hospital in Miami, yes? And you're a lazy boy, sans-maman, and those Jewish doctors don't say you're cute, but they keep telling you to do your work, yes? And so they're pushy, yes?"

The lad was troubled. He was wearing Puma running shoes with a hole cut in one where something had fallen on his foot. He stared at his naked swollen toe. He was frowning. He was unhappy. He had made a contribution to the discussion and now people were paying undue attention. He was only trying to be sociable. This confused him. The French Pong salesman was beaming at the fun which was preceding the orgy. This was better than electronic games; maybe foreplay wasn't so bad when it just happened naturally. He glanced at the lad's pinkish toe, protruding from the red and white striped Puma.

I was embarrassed. I was a guest here. I told Jacques not to worry, but my daughter was asleep back at the hotel and perhaps it was time. . . .

We left. Jacques was still fretting. Our host was sorry to see us go; many boys were yet to arrive. He planned to play the complete recording of "Manon," just in from Paris, unless I preferred "Ovair Ze Rainbow par Zudee Gar-lan." The houseboys were busy and so were the monkeys. Our kind host in his Brillo wig followed us into the sudden silence, the humid Port-au-Prince night with its insect noises, and said he would oblige the lad from Miami Beach to make special amends if I so desired; I could ask anything, whatever I liked best.

The parrot on its perch croaked "Bon soir, bon soir, bon" and rattled its chain.

Jacques Large withered and died of Karposi's sarcoma less than a year later. He left an adopted daughter—the granddaughter, he told me, of the first man who seduced him.

Aubelin Jolicoeur, representing the Haitian government, telephoned to offer me a job as Honorary Consul for Haiti in San Francisco; politics and the AIDS panic had destroyed tourism. When I declined, he suggested I pass the baton along to the socially vigorous and ambitious wife of a prominent lawyer.

Who could have used any of this in an entertainment like *Slave Trade*? It would not seem credible in a work of fiction; it would be an act of pooshiness.

When I described the evening at Monsieur G.'s salon to Dr. Tom Waddell, an Olympic decathlon competitor and the founder of the Gay Games, he became intensely interested in the possibility that the monkeys were a vector for AIDS. A research team visited Haiti to examine these household pets. "They're the wrong kind of monkey," Dr. Waddell reported. "South American. Not infected." □

# Of Dignity and Servility

SUSANNE WAH LEE

THE REMAINS OF THE DAY. *By Kazuo Ishiguro. Knopf. 245 pp. $18.95.*

In the summer of 1956, Stevens, the butler at Darlington Hall, embarks on a motor trip through the English countryside at the behest of the estate's new owner, who has offered to foot the bill for the gas and allowed Stevens the use of his car.

And so begins Kazuo Ishiguro's third novel, *The Remains of the Day*. For Stevens, who has been in service at Darlington Hall for thirty years, the trip and the employer represent a new era. Farraday, the American who purchased the property after Lord Darlington's death, wants to reduce the staff. He is easygoing and jovial and a contrast to the late Darlington. Stevens finds himself unsure what to make of this Yankee, particularly when Farraday attempts to joke with him:

> It is quite possible, then, that my employer fully expects me to respond to his bantering in a like manner, and considers my failure to do so a form of negligence. This is, as I say, a matter which has given me much concern. But I must say this business of bantering is not a duty I feel I can ever discharge with enthusiasm. It is all very well, in these changing times, to adapt one's work to take in duties not traditionally within one's realm; but bantering is of another dimension altogether. For one thing, how would one know for sure that at any given moment a response of the bantering sort is truly what is expected? One need hardly dwell on the catastrophic possibility of uttering a bantering remark only to discover it wholly inappropriate.

The ostensible goal of Stevens's trip is a visit to Darlington's former housekeeper, Miss Kenton, with whom he had an uneasy relationship that ended twenty years before. Stevens interprets her recent letter as an indication that her unhappy marriage is coming to an end, and her nostalgia for Darlington Hall suggests to him that he can persuade her to return to service.

The meticulous Stevens consults a travel guide, *The Wonder of England*, which he heartily recommends, and worries about "what sorts of costume were appropriate on such a journey." For the duration of the trip, six days through picturesque Salisbury, Somerset, Cornwall and Weymouth, Stevens allows himself to reminisce on his life and his ambition to achieve the status of "a great butler." Greatness has to do with dignity, which to Stevens means restraint, propriety and above all never being caught "off duty."

Stevens has followed his father into the profession. Toward the end of his tenure at Darlington Hall, the elder Stevens's health declined and he began to make errors, culminating in a collapse in which he dropped a tray of tea and cakes. This illness coincided with an important conference at the hall, and Stevens felt his obligation was duty first. His father's health was secondary. This decision is emblematic of his life.

Upon being told of his father's death, Stevens's response is a calm "I see." He devotes himself to his work and wants to make a "contribution to the creation of a better world." For butlers, "as professionals, the surest means of doing so would be to serve the great gentlemen of our times in whose hands civilization had been entrusted." It is precisely this con-

*Susanne Wah Lee is a contributor to* Asia Week *(Hong Kong) and* Asianweek *(San Francisco), a host of* New York Culture *for WNYE-FM and a contributing editor of* DV-8 *magazine. Her dispatches from Beijing appeared last spring in* The Village Voice.

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viction that leads Stevens to his greatest disappointment.

In its heyday, Darlington Hall hosted conferences and Lord Darlington entertained an array of international guests, powerful and influential men like the German Ambassador Ribbentrop, a Nazi whom Stevens saw as a "glamorous one." A frequent guest of the Nazis, Lord Darlington was accused of covert liaisons with the enemy during the war. Stevens takes refuge in his belief that Lord Darlington was misled by his circle of friends. Stevens accepts Darlington's anti-Semitism, obediently dismissing two Jewish housemaids. Following World War II, Lord Darlington loses a libel suit against a newspaper, falls from grace and spends his old age in isolation.

Stevens maintains a strained cooperation with Miss Kenton, the housekeeper, who becomes his confidante by virtue of proximity. Early on, in an effort to be cordial, she brings flowers to Stevens's room, which he finds inappropriate. Much to his embarrassment, Miss Kenton catches him off guard, reading a sentimental romance. His impassivity and rigidity frustrate her. But despite their differences, they hold evening "cocoa sessions" to discuss household affairs. When Miss Kenton announces that she is leaving to get married, Stevens responds with his usual understatement: "That is very interesting."

Yet when her letter arrives, Stevens becomes a breathless schoolboy, rereading it, eager to see her again after twenty years. When they finally meet, it is only for a brief tea, and Miss Kenton reveals to him how she has come to terms with the disappointments of her life. An encounter with a stranger on a pier finds Stevens confessing that he has given his best to Lord Darlington and that he has nothing left to give. When the stranger suggests enjoying the rest of his years, it reduces Stevens to tears. He excuses this reaction as travel fatigue, but it is a realization of what his old age holds for him.

Throughout his journey, Stevens's keen eye for detail notes lovely country roads, charming inns, pleasant innkeepers, meals and teas taken. The issue of dignity arises in a conversation with working-class locals who assert that dignity is not for gentlemen only but is something to which every man and woman can aspire. Stevens, however, subscribes to Darlington's statement that the man in the street cannot be expected to understand greater issues. A lifetime in service has cost Stevens his opinion; his social role has swallowed his individual identity.

What emerges is a portrait of a man who is impeccable and precise to the point of being prissy, an inadvertently amusing figure who observes minute details while remaining oblivious to the larger patterns of life. Stevens has lived a repressed and stilted life in pursuit of an illusory goal and is left to reconcile himself to the truth that the man he served was hardly as honorable or noble as he believed. Although the incident is never mentioned, July of 1956, when Stevens takes his trip, was when Egyptian President Gamal Abdul Nasser nationalized the Suez Canal, precipitating Britain's military fiasco and signifying the end of its colonial influence. Stevens is a man of that bygone colonial era. *The Remains of the Day*, which recently won the Booker Prize in Britain, incisively examines the heavy price of human servitude. Ishiguro's writing is subtle and controlled, skillfully pulling readers into Stevens's perceptions of the world while allowing them to see that those perceptions blind Stevens. Unlike many of his contemporaries, Ishiguro chose not to write an autobiographical account based on his experience as a Japanese in Britain. Instead, he created a character whose personality and language are perfectly British. By contrast, Ishiguro's first two novels take place in Japan, where he has not been since childhood.

Ishiguro has rejected the tradition of first-generation immigrant novels whose protagonists struggle with assimilation into the mainstream, facing conflicts both with their parents' culture and the societies they live in. Ishiguro's characters are far removed from his own experience; they are people in their old age looking back on a lifetime. His themes of disillusionment and disappointment transcend the boundaries of nationality.

Like Stevens, Masuji Ono, the protagonist of Ishiguro's second novel, *An Artist of the Floating World*, looks back on events that shaped his life. Like Stevens, he committed himself as a young man to a cause that is no longer legitimate and attempts to resolve the conflict of his past with the reality of the present.

*An Artist of the Floating World* takes place in postwar Japan. Masujiro Ono spends his days trying to negotiate the marriage of his younger daughter, visiting former haunts and playing with his young grandson. Through reminiscences and contacts with old colleagues and students, it is revealed that Ono squandered

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his artistic talents and channeled his creativity into Japan's militaristic propaganda efforts. In his old age, Ono finds himself condemned for the ideas he held so strongly in his youth.

A widow in postwar Japan recalls her life in Nagasaki in Ishiguro's first novel, *A Pale View of Hills.* Characteristically, Ishiguro tells the story without once mentioning the Bomb. In all three of his novels, a shattering social event looms as an unspoken backdrop that sharpens and defines the characters in the foreground. Each allows the reader to see the world that shapes its characters much more clearly than they can. □

# MUSEUMS.

## EDWARD CHAPPELL

### Minnesota's 'Way to Independence'

Few museums in this country portray native or indigenous populations in a responsible way. Lacking the resources or the will to change, most of these institutions still lie slumbering in the embrace of nineteenth-century antiquarianism. Some, though, have succeeded in breaking free of customary ethnocentricities [see "Museums," *The Nation*, November 27]. The recent museum shows that have contributed the most to public understanding of indigenous peoples have been relatively modest in size and have come from local or regional institutions.

One of the shows, produced by Carolyn Gilman and Mary Jane Schneider for the Minnesota Historical Society, opened December 9 at the North Dakota Heritage Center in Bismarck. Called "The Way to Independence: Memories of a Hidatsa Indian Family, 1840–1920," it is the most subtly complex portrait of an indigenous population that a U.S. museum has ever presented. It is also one of the best history shows of any variety to appear in many years.

"The Way to Independence" offers an intimate view into the lives of three members of the Hidatsa tribe, a Siouan people living on the Missouri River in North Dakota at the turn of the century. Like most members of the Hidatsa and related groups, Buffalo Bird Woman, her brother, Wolf Chief, and her son, Edward Goodbird, experienced profound change in the years between 1875 and 1915. Though each had a distinct identity, they can also be recognized as representing other Hidatsa, and other Native Americans, in an era of forced change. They are portrayed not as faceless models of acculturation but as people responding in different ways to an unfamiliar political power. The three seem extraordinary to us in many ways, including the manner in which they recorded their lives. These are worth recounting in some detail.

Buffalo Bird Woman was raised in an environment that seemed thoroughly traditional despite the presence of white traders and their goods. When she was born in 1839, her people lived in earth-covered lodges grouped together in villages along the Missouri River. As a girl, she saw her grandmother, Turtle, plant corn with a stick and the women of the Goose Society dance to welcome the corn spirits returning from the south. The Hidatsa cultivated the river valley in the spring and hunted buffalo on the plains in the summer—a cyclical routine that required seasonal moves. Hidatsa women built the lodges occupied by their extended families. The skills required to direct the construction were ancient and sacred knowledge that could only be purchased from another woman in the village who in turn had purchased the knowledge in her youth. Buffalo Bird Woman was ambitious; she purchased and pursued this and other skills.

Her brother, born ten years later, experienced a youth that was equally circumscribed by traditional Hidatsa gender roles but that also allowed him the independence to develop a strong personality. Wolf Chief learned to hunt buffalo and smaller game with bow and arrow, butcher animals and build hunting shelters. He successfully sought visions that would give him power in war against other tribes, and by fighting as well as buying membership in men's societies, he achieved status among the Hidatsa. Wolf Chief carefully cultivated his appearance to attract women, an activity at which he apparently also excelled. Later, he recalled, "I was a fine looking young man. I wore a switch in my hair. I painted my face red and I had a bead necklace with round shells hanging down on my breast. I also wore brass armlets, and had a shirt of white sheeting with the edges all trimmed with red cloth where it opened at the neck, and . . . red fringe hanging down. I had leggings of blue black cloth and a blue blanket. But my moccasins were plain."

Significant national intervention in the lives of the Hidatsa began in 1851, eighteen years before Buffalo Bird Woman gave birth to Edward Goodbird, her only child. The white presence at the river valley village of Like-a-Fishhook had been largely passive until the Hidatsa were induced to cease intertribal warfare in exchange for annual shipments of goods. There followed in 1866 an Indian agent charged with promoting a policy of acculturation. By controlling the distribution of clothing and provisions, the agent swiftly began to undermine the tribe's established social structure.

Other challenges to Hidatsa culture soon followed. Missionaries arrived in 1876, and by the next year, English-speaking schools were provided by both the mission and the government. The missionaries saw destruction of Indian culture as the only acceptable route to salvation. Congregationalist minister Charles L. Hall demanded more than the rejection of multiple spirits and vision quests. Clothes, housing and eating, he insisted, must conform to European-American models. More important, traditional concepts of reciprocal community relations must bow to Protestant self-reliance. "The new must take the place of the old," Hall wrote. "There must be no compromise. It must be 'unconditional surrender' if Christ's way is to remain pure." Many rejected surrender to Hall but saw value in what the schools had to offer. Among whites, boarding schools were regarded as efficient means of destroying traditional language, behavior and beliefs, although they were met with some successful resistance from native parents and children.

For all that was lost among Plains Indians in the 1860s and 1870s, the rate of assimilation was considered too slow by the politically dominant culture. Responding to the financial and racial concerns of the majority population, the Federal government abolished the holding of reservation land in common, forced the Hidatsa to accept individual ownership of widely dispersed farmsteads, destroyed the village of Like-a-Fishhook and sold to white ranchers land that was deemed excess acreage. Following passage of the Dawes Act by Congress in 1887, old religious practices were legally banned, and, in the great era of romantic fascination with the American Indian, a national policy of cultural suppression was enforced. Buffalo Bird Woman's family was forced to settle farmsteads at a location selected by Wolf

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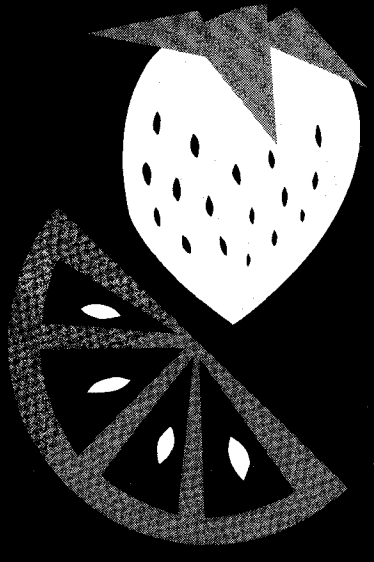

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How to Protect Your Child Against Pesticides in Food
By Anne Witte Garland
Foreword by
T. Berry Brazelton, M.D.
Natural Resources Defense Council

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—T. Berry Brazelton, M.D.

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Chief from a vision quest, ironically called Independence.

All three family members accommodated themselves to the new life at Independence in ways that were profoundly different from their past but that were also not as whites had intended. As Gilman observed, "Whites wanted to pour Indians into the mold of Euro-American culture. But Buffalo Bird Woman's family had not become white. Instead, slowly and subtly, they had changed the mold."

The reason we know so much about the family before and after the move from Like-a-Fishhook is that in June 1906 a Presbyterian minister and amateur anthropologist named Gilbert Wilson arrived at Independence hoping to study traditional Indian objects and how they were made. His initial intentions were modest and relatively conventional; one aspect or other of Hidatsa life had been recorded since George Catlin visited the Missouri Valley villages in the 1830s, and interest grew as native culture seemed to recede. But Wilson found more to deal with than he expected, and he stayed in Independence each summer for the next twelve years. In some spheres, Wilson retained his white attitudes, but in others he was transformed by his association with Buffalo Bird Woman's family. Ultimately, he was adopted as Goodbird's brother, and he accepted as his mission the recording of Hidatsa life. What set him apart from most chroniclers of his era was a sincere interest in recording what his informants wanted to say in their own words, even if he disapproved (as in the case of Wolf Chief's sexual exploits). Goodbird served as translator for Buffalo Bird Woman and others who spoke little English. Wilson published anthropological and popular accounts of the Hidatsa and children's books about the lives of Buffalo Bird Woman and Goodbird, the latter co-written with Goodbird. He recorded much more extensive observations about modern reservation life and change, as well as the ancient ways, in manuscripts that have remained unused until research for the Minnesota Historical Society show began.

Buffalo Bird Woman's emotional life was reinvigorated by her great effort with Wilson to pass on knowledge that had come to seem irrelevant. Wilson was struck by the precision of her memory about the details of laying out a lodge, making a bullboat of hide and poles, diapering the infant Goodbird with cattail down and endless other skills. She made models to reveal the secrets of building things like meat- and vegetable-drying scaffolds. She would speak with sustained energy. "In the sweltering heat of an August day," Wilson wrote, "she has continued dictation for nine hours, lying down but never flagging in her account, when too weary to sit longer in a chair."

Goodbird sketched the artifacts and activities that the family remembered. These drawings, as well as professional illustrations created by Wilson's brother Frederick and photographs by a variety of observers, create a museum portrait of a people and community that is as comprehensive as it is detailed.

It is important to recognize that while Wilson and his Hidatsa contacts left an unusually large legacy of information and artifacts dispersed among four institutions, the show's planners have done more than turn public attention to some rare collections. Carolyn Gilman and Mary Jane Schneider have brought together in a scholarly way all the identifiable information in the catalogue, *The Way to Independence*, published by the Minnesota Historical Society. However, the strength of the show has more to do with intelligent interpretation than with good artifact management. Like Wilson, Gilman and Schneider let the story unfold from the perspective of the participants. But their selections and presentation of words and objects raises a series of crucial points about the changing nature of Hidatsa culture, the consequences of involuntary change and the choices individuals made when facing what amounted to a foreign invasion.

The message of the show is complex; it is more than a single-minded portrait of strong and noble native culture and the relentless power brought to bear on its destruction. Hidatsa resilience seemed to ebb and flow. Some traditional emblems of the tribe were still cultivated after schools and churches taught that these were evil. The forced move to Independence prompted Goodbird to seek a spiritual vision using self-torture in traditional Hidatsa ways, well after schoolteachers and ministers had assailed many of the beliefs taught to him by his family. Ranching was attractive to the Hidatsa after the move from Like-a-Fishhook, but the customary sharing of all resources made any move toward capitalism uneasy and uncertain. As late as 1900, when Wolf Chief was involved in the worldly activity of taking cattle to

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market in Chicago, he was puzzled by the failure of white people to feed their poor.

"The Way to Independence" uses objects to tell the stories, not just as props for written and recorded messages. A complete freight wagon is shipped to each museum stop on the show's circuit, suggesting both the acceptance of industrial goods and the pursuit of farm life based on commerce rather than village self-sufficiency. Yet the show also makes the point that perceptions of material life can be deceiving for modern scholars as well as contemporary outsiders. Even in Buffalo Bird Woman's youth, imported iron hoe blades had largely replaced buffalo scapulas as the tool for cultivating vegetables. Still, though, women shortened the handles so that they could work leaning over in the traditional manner. Archeologists excavating at Like-a-Fishhook found an overwhelming preponderance of metal tools, and Buffalo Bird Woman remembered from her youth only one man who made stone tools, although patterns of work and warfare had changed relatively little from the pre-contact era.

Although Hidatsa men eventually built cabins like white men on widely dispersed farms, with no reference to women's tradition of building, many of the old community relations and family activities remained intact. Seating within the houses still followed traditional patterns, with gender differences and familiar places of honor. Often work was done sitting on the floor rather than in white men's chairs, and buffalo skulls displayed on the roofs indicated that the occupants still engaged in non-Christian religious ceremonies.

The proscription of traditional Hidatsa religion, medicine, social organization and ceremonial clothing was enforced by resident whites. Yet Buffalo Bird Woman and others still believed they remained members of secret societies whether or not they were banned and their activities had ceased. Buffalo Bird Woman cared little for the laws imposed on her. "I do not understand them nor know how to make them rule my life," she said in 1918. Placing the dead in robes on raised scaffolds was stridently opposed by the white government, and by 1906 Hidatsa funerals appeared similar to European-American services. Yet the beliefs that surrounded death and the manner in which the dead person's clan brought gifts while the family gave away possessions had changed little.

Among the more thoughtful arguments Gilman and Schneider make is that some radically new activities could fulfill traditional roles and ambitions. Being a successful storekeeper at Independence and defending his people in a stream of letters to Washington fulfilled Wolf Chief's desire for community recognition in somewhat the same way success in battle and membership in age societies would have done at Like-a-Fishhook. Goodbird's eventual decision to become a Christian minister reflected his own spirituality, as seen in his vision quest, as well as his clan's ties to the supernatural world. The one day the Hidatsa and other tribes were allowed to gather for community celebration was the Fourth of July. It is evident from the photographs and descriptions of this day that, while the participants sincerely used it to express patriotism, their activities and delights had more to do with cultural survival than nationalistic fervor.

"The Way to Independence" will be at the North Dakota Heritage Center in Bismarck until September 1990, and at the American Museum of Natural History in New York City from June to December of 1991. Other locations are now being negotiated. The catalogue, *The Way to Independence* by Carolyn Gilman and Mary Jane Schneider, is available from the Minnesota Historical Society Press (690 Cedar Street, St. Paul, MN 55101).

Not all transitions were felicitous or successful. The show makes clear that Buffalo Bird Woman's rich knowledge had become sadly useless for several decades before Wilson arrived. "Often in summer I rise at daybreak and steal out to the cornfields; and as I hoe the corn I sing to it, as we did when I was young," she said. "No one cares for our corn songs now." Both Wolf Chief and Wilson became embroiled in a very unhappy controversy when Wolf Chief, caught between traditional and Christian religious beliefs, sold the sacred shrine of his grandfather's clan to Wilson for the New York collector George Heye. Wolf Chief was rebuked by the clan for his mistake, and thereafter he appeared to suffer supernatural punishment as well as disdain from his neighbors. The shrine was retrieved by the clan from the reluctant Museum of the American Indian in 1938, and it is believed that the return brought an end to a great drought along the Missouri.

"The Way to Independence" draws on the exceptional Hidatsa resources to create a portrait of changing native culture that, to use current historians' favorite phrase, has great resonance. This richness owes much to living Hidatsa as well as those who spoke through Gilbert Wilson. Native people have been usefully involved in the creation of the show. An equitable role on stage is important, but it is not the whole point; the need for museum shows and other media that fairly represent native peoples is not solely ideological. At Independence and throughout the Hidatsa reservation, virtually all usable land was destroyed in 1954 when the Army Corps of Engineers completed a large dam on the Missouri. The communities created by the Hidatsa, Mandan and Arikara since they were removed from their villages were further scattered and their economic bases were destroyed. As a direct result, resident Evadne Baker Gillette points out, welfare and unemployment rates among the people of the reservation are among the highest in the nation. If nothing else, "The Way to Independence" reveals, in very human terms, the consequences of capricious shifts in government policy. In a telling and understated way, the show offers a message of political importance, one as much needed now as when Like-a-Fishhook and Independence were destroyed.

"The Way to Independence" also provides a useful model for other museums that deal with native people. The living should be active contributors to museum presentations, and the dead should be accorded the dignity and individuality they deserve. The issue of participation is as important now as it will ever be because of the recent decision, after years of negotiation, to move most of the Heye collection from New York and build a museum of the American Indian as part of the Smithsonian Institution. No facility is more needed on the Mall in Washington, but it is unclear what the new museum will be like. Will the Heye collection be a mummy's curse on the new museum, insuring that it offers only stories about a distant and safely lost past, when Indians were anonymous and their objects beautiful, or will it be used as the Minnesota planners have used their material, to teach about change from that world to this? "It is the new battlefield," says Rayna Green of the National Museum of American History. "White museums have held the definition of native culture for a hundred years. Will Native Americans regain the initiative with the new in-

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stitution? Will it be just a neater-looking Natural History Museum, or will it be the Hidatsa show and more? This is the politics of cultural power writ large, and it's no less than a revolution."

The new museum cannot avoid politics. Whether it is the politics of white domination or of cultural understanding remains to be seen. We should watch with concern—and not too quietly. □

# THEATER.

## THOMAS M. DISCH

**The Lisbon Traviata**
**The Widow's Blind Date**
**The Secret Rapture**
**3 Penny Opera**

On the basis of their latest plays, *The Lisbon Traviata* and *The Widow's Blind Date*, Terrence McNally and Israel Horovitz must be accounted among the best of today's playwrights, and even this early in the season it is clear that their latest works—both at Off Broadway venues—will have few rivals as best serious drama of the season (but no chance, as the deck is stacked, at a Tony). Both plays have had the good fortune to be handsomely mounted and acted with dazzle and passion. Both employ a similar dramatic strategy, drawing us into the situation with an essentially comic first act and then detonating a full depth charge of tragedy in Act II. (David Hare's *The Secret Rapture* also follows this formula. It has become a post-absurdist paradigm—not black comedy but bright tragedy.) Both should be seen.

If I confess a preference for *The Lisbon Traviata*, it may be because it satisfied so well a need so long unsatisfied I'd almost forgotten it—that is, to see the mirror of art reflect the social stratum I inhabit as a gay Manhattanite of a certain age with an unreasoning passion for opera. All too often, representations of gay life have a minstrel show flavor, as though only by caricaturing themselves as limp-wristed queens might gays be allowed a place in the spotlight. Seeing *The Lisbon Traviata* I felt as some blacks must have at *A Raisin in the Sun*, not just the basic pleasure all good theater yields but the special glow of hearing one's own particular quotidian truths expressed with force and dignity and consummate artistry.

The plot challenges synopsis as much as McNally's lighter romantic comedy of 1987, *Frankie and Johnny in the Clair de Lune*. In the first act Stephen (Anthony Heald) and Mendy (Nathan Lane), two fanatical worshipers of the Callas cult, trade witticisms about opera, a duel of wits so swashbuckling that the work of exposition being accomplished is almost unnoticeable. But as the lights come up on Act II it is as though Act I's Persian carpet has been pulled from under one's feet, so stark and full of ill portent is the shift from Mendy's wainscotted cocoon to Stephen's high-tech habitat. (Two ears and a tail for Philipp Jung, the set designer.) Act II witnesses the tragedy implicit in Stephen's art-besotted consciousness, as his lover (played by Dan Butler) declares his independence and leaves for a younger man. The present production differs from the one shown last year at Manhattan Theater Club in allowing Stephen the grace to resist the impulse to murder. The cathartic effect is actually greater.

Credit for near-perfect realization of a perfect script must begin with director John Tillinger and include the tricky sound design by Gary and Timmy Harris. (The play, like so many lives today, moves forward to a constant, varied menu of the world's greatest music.) As Stephen, Anthony Heald tore out my heart and shredded it. Nathan Lane as Mendy managed to be campy without the taint of self-parody, and his performance made Act I a hard act to follow. Dan Butler, as Stephen's exiting lover and the reality principle, was very good at conveying the sense of an implacable force; his performance was like a time-lapse movie of a glacier in action.

If my enthusiasm for *The Widow's Blind Date* is less, my absorption in the performance at the original, downtown branch of Circle in the Square was entire. As in so many plays of Ibsen (a theatrical ancestor in homage to whom Horovitz has written an engaging comedy *Year of the Duck*), the action of the play lies mainly in the slow unearthing of a buried sin. In this case it is the gang rape, at age 17, of the widow of the title, a successful academic who has returned years later to confront two of her rapists, who are mired in dead-end jobs in the industrial Rustbelt town of Wakefield, Massachusetts.

Horovitz is reputed to have an unerring ear for the language of blue-collar yobs. I can't judge the inerrancy of his ear, since my own knowledge of that milieu is based more on other dramatic works than on firsthand experience. Paul O'Brien plays the basically decent and still self-respecting Archie, and Tom Bloom is George, a lout of the lowest degree. As they sweep the floor and accomplish the task of exposition, their dialogue seems plausible, though not inherently entertaining. When Margy, the widow (played by Christine Estabrook), arrives, the play gets a lot more interesting, in large part because of her very strange behavior, alternately taunting and enticing. She knows what they've done, and they know, but for a good act and a half, they pussyfoot around this knowledge, and while, in hindsight, there is a kind of rationale for these elaborate duplicities, I couldn't keep from supposing it was really the dramatist's expository convenience being served. This paradox seems built into the title, for the central event of the play is as little a blind date as Euripides' *Medea*. The enigma of the title is even complicated by a major offstage character who is literally blind, and by the script's italicized references to dates as dried fruits. Either I was missing something or Horovitz was overexerting himself as a Symbolist.

These are reservations I had no difficulty forgetting as the play's temperature started rising. Margy, with what degree of guile we can never be quite sure, provokes her one-time rapists to ecstasies of self-exposure and then a fight to the death (which is choreographed, like the much briefer contretemps in *The Lisbon Traviata*, by the incomparable B.H. Barry). Tom Bloom's climactic scenes of psychotic, giggling rage are the stuff theatrical legend is made of. Neither Paul O'Brien nor Christine Estabrook are provided with arias on quite the same scale, but they shivered their share of timbers.

This and many other recent plays by Horovitz originated at the Gloucester Stage Company in Massachusetts, which serves the author as his own Globe, an arrangement that must in part account for Horovitz's blessed fecundity. If there were more Gloucesters, the imminent extinction of Broadway might seem no more tragic a loss than the end of the ivory trade or declining attendance figures at the race track.

Because by the look of what gets to Broadway and sticks there, Broadway now serves primarily a curatorial function. I am not a particular fan of David Hare, but his latest work, *The Secret Rapture*, surely deserved a better fate

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than it got at the Barrymore—nineteen previews and twelve performances—after twenty-two previews downtown at the Public Theater. As it has closed, I will simply add my endorsement to Mimi Kramer's cogent anatomy of the play's central structural fault in *The New Yorker*. In a nutshell, Kramer argues that the plot is driven by the demands of the allegory. I must add that I found the play more engrossing than Kramer's strict accounting would lead one to expect. Hare's flair for creating characters who can make you feel itchy often works at cross-purposes to his streak of ideological rectitude—and can work wonders. The characters played by Mary Beth Hurt and Michael Wincott—a treacherous, parasitic alcoholic and an ex-boyfriend who refuses, absolutely, to let his love go unrequited—are monsters in the best tradition of English satire. And the heroine, Isobel Glass, verges by virtue of her spineless insipidity on being an antiheroine, in the mold of Thackeray's Amelia in *Vanity Fair*. In that intuition I very likely am mistaken, as the role is played by Hare's current leading lady, Blair Brown, whose role as TV's Molly Dodd provokes in me a similar allergic reaction. Hare probably means to offer Isobel as a kind of Thatcher-era saint, doomed to extinction just for being nice.

Two recent Broadway musicals may be similarly doomed, and I will again defer to another critic, Frank Rich of *The Times*, who administered just the *coups de grâce* I thought they had coming. Sitting through the first act of *Meet Me in St. Louis* was like being devoured by a giant greeting card and living in its belly, where everything is pretty and pastel and sweet and nice and terrifying. If this is the best our culture can offer in the way of wholesomeness, I'll take a life of crime any day. Mind you, I loved the movie, and I am capable of gearing down musically to a slow waltz. But I've never enjoyed waxworks, and *Meet Me in St. Louis* is the waxwork version of the movie original. The producers Joan Brickhill and Louis Burke are from South Africa, and it was hard not to view this Animatronic vision of Normative American Life as having a secret and sinister subtext, as though Minnelli's classic had suffered a sea-change and become an Afrikaner *Meet Me in Johannesburg*.

As to *The Prince of Central Park*, I had to promise *not* to review it in order to be allowed to see it, since the producers had put off the official opening by a week without informing me until a companion and I had taken our seats. After the first act I could sympathize with the press agent's panic at the thought of having the show reviewed, ever, by anyone, and I will keep my promise. But there were moments I will never forget.

I cannot say as much for *3 Penny Opera* featuring the rock star Sting in costumes by Jocelyn Herbert and hair by Phyllis Della. In theory rock stars are supposed to be charismatic and sexy, qualities that ought to suffice for the role of Mack the Knife, though a talent for acting and singing would not be unwelcome. In this production Sting isn't much more prepossessing than Jason Workman, who plays the Boy Next Door in *Meet Me in St. Louis*. Or at least, he wasn't in the first act. And he was not alone. In the entire vast cast of seasoned professionals (reading all their credits in the *Playbill* was the most engrossing part of my evening at the Lunt-Fontanne), there was no one who delivered any of the Brecht/Weill songs with the peculiar but scarcely elusive *sting* they require. Some of the blame must fall on the shoulders of the director John Dexter, who has elicited an overall performing style that smacks more of Gilbert and Sullivan than of Brecht and Weill, all bounce and romp and merriment.

But most of the blame, I suspect, inheres in the translation by Michael Feingold. Any new version of *3 Penny Opera* must contend with that created by Marc Blitzstein in 1954, with lyrics so deftly fitted to the music you'd never suppose they hadn't, as lyrics mostly do, come first. Feingold's lyrics are like the feet of Cinderella's sisters trying to squeeze into the glass slipper of Weill's music: They don't make it, and the effort shows in the form of clunky rhymes, sprung rhythms and misplaced emphases. In a program note Feingold writes, "Blitzstein's version, though unquestionably brilliant, seems less valid today than it did in 1954—first, because it is an adaptation, and second, because it is 35 years old." Blitzstein's lyrics have more bite and sparkle after thirty-five years than Feingold's after thirty-five minutes, and as to the liberties Blitzstein took with the overall dramatic structure, the earlier order of the story could be restored without the sacrifice of the Blitzstein lyrics. But if old musicals must be updated for more demanding modern tastes, how about a *Porgy and Bess* that reflects the

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real language of urban blacks today? *West Side Story* will soon be thirty-five years old and, Lord knows, teenagers have been changing.

So far, then, not a very auspicious season for Broadway, except in the sheer number of opening nights. From a strictly Darwinian point of view, that has to be good news. □

# EXCHANGE.

(*Continued From Page 738*)

was not a major building block, is very true, precisely because the left is weak, as a left, and also because it never acted as a self-conscious left. Rather, groups and individuals participated in the campaign on their own terms and generally as politically nondescript activists.

The debate over the Rainbow and its future cannot be reduced to whether Jackson is the best we have. Of course he is; that is not the issue. The concern is whether the organizational options decided on by Jackson for the Rainbow represented the only real possibilities or the optimal choices, and further, whether these choices reflected, in organizational form, Rainbow politics. Jackson could have developed a two-pronged organizational approach—as he indicated following the Democratic Convention—of building the Keep Hope Alive PAC and the Rainbow Coalition. Each organizational arm could have served very different functions. The Keep Hope Alive PAC could have united under one banner the Democratic Party notables, contributors and other allies whom Kopkind correctly notes as important components of a Jackson-led reform movement.

On the other hand, the Rainbow Coalition could have served to unite activists at the local level (and I am not equating activists with leftists) to turn Jackson's message into very real organizing campaigns. Such a coalition could have, perhaps along with the PAC, promoted the campaigns of progressives for local office and helped to build a new level of local leadership all progressive social movements need.

The revamping of the Rainbow Coalition has frustrated this effort, with a few local and notable exceptions. The kind of broad-based progressive organization that could have provided shock troops for the type of Jacksonian democracy the United States needs is severely weakened. It continues to be my hope that this problem is recognized and that steps are taken to reverse it. Based on Kopkind's article, such hopes are probably unrealistic. For those of us, therefore, who continue to support the overall role and stance of Jackson, we are forced, if our local Rainbows do not exist or are ineffective, to build local, independent, progressive initiatives that can represent Rainbow politics yet follow a different practice.

Finally, I must end by expressing my impatience with explicit or implicit attempts to write off opponents of the restructured Rainbow Coalition as being white leftists. As one who is of the left and is not white, I am aware that entire sections of the black left along with many other activists of color were deeply disturbed by the changes in the national Rainbow Coalition. Our concerns are legitimate and will not be dismissed by attributing them to the proverbial and faceless white leftists. *Bill Fletcher Jr.*

## KOPKIND REPLIES

*Brattleboro, Vt.*

The League of Revolutionary Struggle has developed a position which allows it to be entirely supportive of Jesse Jackson's strategy for command and control of the Rainbow Coalition, as Mae Ngai's well-reasoned letter suggests. What she does not point out, however, is that the L.R.S. position apparently also allows her comrades to be in positions of command themselves—and that the L.R.S. seems to have helped Jackson shape his new strategy in the first place. There is an almost universal perception among Rainbow activists around the country, from Los Angeles to Boston, that "The League" (a rather small outfit in the scope of things) has a disproportionate influence within the Jackson inner circle, as well as in certain important local Rainbow organizations. It's not easy to find out just who in the Jackson leadership is or is not in the league, because members there do not readily identify themselves as such, and because most other activists, no matter how critical of league positions, quite properly will not go on a destructive and unprincipled "witch hunt" to ferret out their political opponents. In the absence of self-identification and openness about league affiliation, however, wild rumors and paranoid suspicions are rife. Some surely have a thinly disguised racial etiology, as Ngai suspects. I have been told that "anyone with an Asian name" (i.e., East Asian) in Jackson country may be fairly assumed to be in the league, and both white and black leftists impute a certain mystery, mastery and clannishness to the league that smacks of cultural prejudice.

Even so, the problem of sectarianism in the Rainbow movement cannot be dismissed because of the bad intentions of some who make the charge, or because of the relatively benign (even constructive) behavior of those who may still function as sectarians. In a loose and freewheeling coalition like the Rainbow, the line between activism and sectarianism is constantly shifting and hard to define. Independent political organizations that had struggled along in marginality or anonymity for years were attracted by Jackson's personal power and his mass base. When they boarded his bus—early or late in the campaigns—they naturally preferred a place up front, near the driver's seat, to steer a course toward their own ends. It did not necessarily matter whether or not the passengers concealed their identities. Sectarianism does not have to operate in the dark to be disruptive, sow suspicion or alienate other activists.

For example, when the Democratic Socialists of America decided to back Jackson in 1988 (they were for Mondale in 1984), scores of young D.S.A. workers flocked to offices in the early primary states, where they put in long hours in cold climates, doing the dirty work of "retail" campaigning. The staffers whose first allegiance was to the Jackson electoral effort were initially overjoyed at the help they got. After a while, however, some began to get the sense that the D.S.A. contingent maintained its own organizing agenda, which had as much to do with political opportunities after Jackson "lost" as it did with the campaign at hand. The D.S.A. political project—organizing white workers into a kind of pre-party labor political caucus—was not bad or "wrong"; it simply required visions and rhythms different from the Jackson campaign's. The tension between those whom Ngai quite accurately describes as activists who "couldn't wait for the 1988 campaign to be over" and those who were working for an electoral victory caused bad blood in a few local Jackson offices.

Among the myriad radical groupings bidding for a piece of Jackson action, the league is probably the most responsive to what Jackson actually wants in terms of movement structure. Some may criticize the league precisely for that reason; others fight turf wars over who runs local Rainbows. And there are a few who fear that if any "known radicals" get too close to Jackson, he will be vulnerable to left-baiting in the same way he and other black candidates have been forced on the defensive because of prior associations with black nationalist figures. These are devilishly difficult questions to resolve in any democratic movement, and it would be helpful if both those in the L.R.S./Jackson leadership and those critical of it were more candid and forthright in discussing them than they've been so far. It can't hurt.

Coincidentally, Ngai's and Fletcher's letters speak to some of the same points, from different perspectives, and I wouldn't dream of getting in the middle of a very constructive debate. Nor is it worthwhile trying to define who or what constitutes "the left." The Jackson adviser who was complaining about the tardiness of the left in joining the Jackson campaign could have been referring to the "peace left" or the "labor left" or the "feminist left," which components were indeed either late or ambiguous—or both—in their support. In any case, I don't see why Fletcher feels he *has* to swallow anybody's squash. If he doesn't like the Rainbow structure or if he feels abandoned by Jackson, he is free—not "forced," as he complains—to build and activate his own movement. Don't mourn for the evanescent Rainbow of your dreams. Organize. *Andrew Kopkind*

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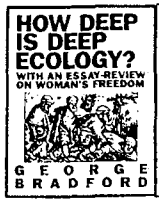


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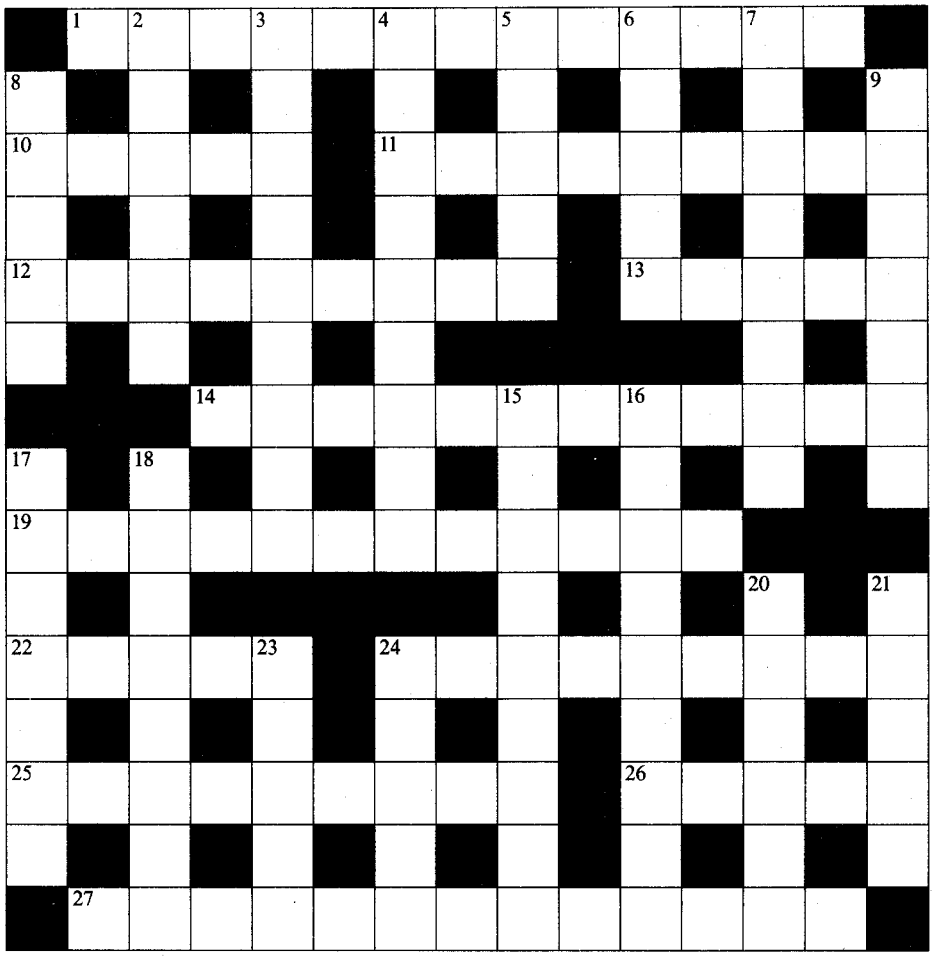

ACROSS

1 See 20 down
10 Being in the old race could get you confined to jail, commonly. (5)
11 Such stock—not the 22 sort—might be liked better. (9)
12 Is found in what the gentle mocker does, being what one might hold onto, coming down. (9)
13 One hears the old president is a skilled worker. (5)
14 To verify the filler-in's brown color, it messily dined. (12)
19 Sounds like what Columbus did to the Atlantic made intersecting lines. (12)
22 A gun's manufactured stock? (5)
24 Made to be completed with L instead of T, perhaps. (9)
25 Swindle the cordial type, having the same tastes. (9)
26 Petal made of silver, perhaps. (5)
27 You can't point a finger at one who has it. (13)

DOWN

2 Most songbirds are such, when one wraps up a little science. (6)
3 Such as Ornithischia and ruins do, as reconstructed. (9)
4 Work paper, alternatively something that weighs heavily on one. (9)
5 Helps, like an inside wager. (5)
6 Expert American humorist gets to the point, briefly. (5)
7 To move with the little stream like this, they were misty in the picture. (8)
8 Attached to the trunk, in any case? (5)
9 Lent beauty to something, and rode all over the place! (7)
15 What one does when the bugle blows, perhaps. (9)
16 The sort of pure, as the light may be, directly following that. (9)
17 Very good up to this, Beelzebub! (7)
18 So inclined when loading a sort of it? (8)
20 and 1 across A card is, as the kids will inevitably be, if you jolly them into behaving. (6,4,3,1,5)
21 One might put two and two together, though it moves at a crawl. (5)
23 Mates in one move, and with a full head, you might get started. (5)
24 A hundred on the rise create a sudden numbing fear. (5)

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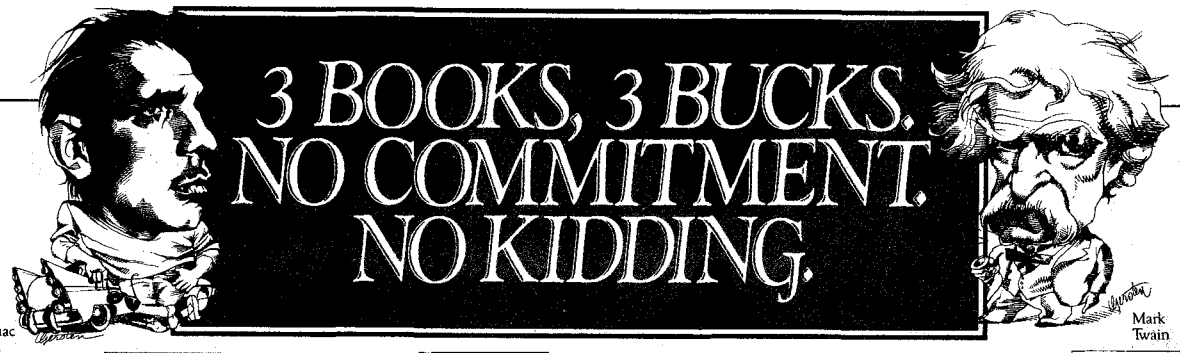


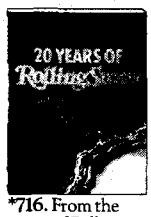


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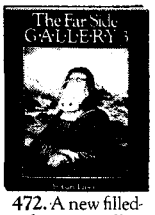


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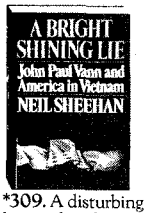


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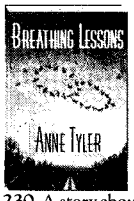


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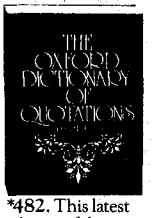


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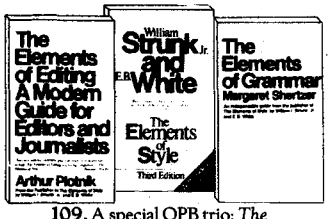
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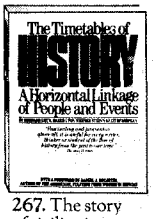


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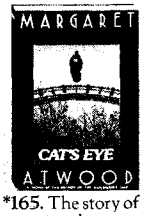


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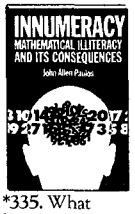


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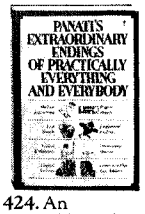


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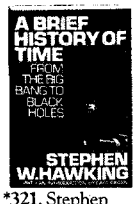


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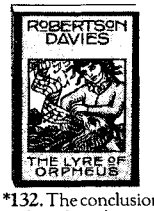


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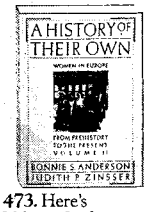


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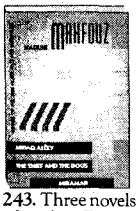


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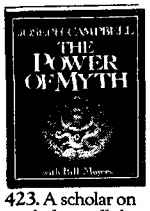


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